



AGENDA  
CITY COMMISSION MEETING  
COMMISSION CHAMBERS, CITY HALL  
MONDAY, DECEMBER 12, 2016 5:30 PM

1. CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO THE FLAG OF THE UNITED STATES OF AMERICA

2. PROCLAMATIONS: None

3. MAYOR'S AWARD

4. PRESENTATIONS: None

5. CONSENT AGENDA:

Routine items are placed on the Consent Agenda to expedite the meeting. If the Commission/Staff wish to discuss any item, the procedure is as follows: (1) pull the item(s) from the Consent Agenda; (2) vote on remaining items with one roll call vote, (3) discuss each pulled item and vote by roll call

A. CITY COMMISSION MEETING MINUTES: None

B. PURCHASING ITEMS:

1. Purchase request by the Public Works Department for the purchase of lift station pumps and pump packages for 4 lift stations from Barney's Pumps for a total amount of \$49,639.

C. RESOLUTIONS:

1. Resolution of the City Commission of the City of Leesburg, Florida approving the adoption of the American Public Power Association (APPA) Safety Manual (the current 15th Edition and all future Editions) as the official Safety Manual of the Electric Department's overall safety program; and providing an effective date.
2. Resolution of the City Commission of the City of Leesburg, Florida accepting and approving a Utility Easement from Walling Crate Company to the City of Leesburg, Florida for property lying in Section 22, Township 19 South, Range 24 East, in the City of Leesburg, Lake County, Florida; and providing an effective date.

3. Resolution of the City Commission of the City of Leesburg, Florida accepting and approving a Utility Easement from Ro-Mac Lumber & Supply, Inc., to the City of Leesburg, Florida for property lying in Section 25, Township 19 South, Range 24 East, Lake County, Florida; and providing an effective date.
  4. Resolution of the City Commission of the City of Leesburg, Florida accepting and approving a Utility Easement from The Oaks of Leesburg Condominium Association, Inc., to the City of Leesburg, Florida, for property located in The Oaks of Leesburg, Phase I, A Condominium, Lake County, Florida; and providing an effective date.
  5. Resolution of the City Commission of the City of Leesburg, Florida accepting and approving a Utility Easement from Dennis L. Bain and Patricia S. Bain, Co-Trustees, to the City of Leesburg, Florida, for property located in Lot 16, The Arbors of Lake Harris, Lake County Florida; and providing an effective date.
  6. Resolution of the City Commission of the City of Leesburg, Florida accepting and approving a Quit Claim Deed from Dennis L. Bain and Patricia S. Bain, Co-Trustees, to the City of Leesburg, Florida, for property lying Tract "A", Palm Harbor Subdivision, in the City of Leesburg, Lake County, Florida; and providing an effective date.
  7. Resolution of the City Commission of the City of Leesburg, Florida authorizing the City of Leesburg Recreation Department to implement a Parks and Recreation facility Adopt - A - Bench program; and providing an effective date.
6. PUBLIC HEARINGS AND NON-ROUTINE ITEMS:
- A. Selection of Representatives for the Lake/Sumter County MPO
  - B. Selection of Representative to the Region 5 Trauma Agency Executive Committee
  - C. City Manager Annual Performance Evaluation
7. INFORMATIONAL REPORTS: NONE
- The following reports are provided to the Commission in accordance with the Charter/Ordinances. No action required.
8. CITY ATTORNEY ITEMS:
9. CITY MANAGER ITEMS:
10. PUBLIC COMMENTS:
- This section is reserved for members of the public to bring up matters of concern or opportunities for praise. Issues brought up will not be discussed in detail at this meeting. Issues will either be referred to the proper staff or will be scheduled for consideration at a future City Commission Meeting. Comments are limited to three minutes.
11. ROLL CALL:

12. ADJOURN:

PERSONS WITH DISABILITIES NEEDING ASSISTANCE TO PARTICIPATE IN ANY OF THESE PROCEEDINGS SHOULD CONTACT THE HUMAN RESOURCES DEPARTMENT, ADA COORDINATOR, AT 728-9740, 48 HOURS IN ADVANCE OF THE MEETING.

F.S.S. 286.0105 "If a person decides to appeal any decision made by the Commission with respect to any matter considered at this meeting, they will need a record of the proceedings, and that for such purpose they may need to ensure that a verbatim record of the proceedings is made, which record includes the testimony and evidence upon which the appeal is to be based." The City of Leesburg does not provide this verbatim record.



# AGENDA MEMORANDUM

**Item No:** 5.B.1  
**Meeting Date:** December 12, 2016  
**From:** DC Maudlin, Public Works Director  
**Subject:** Purchase Request for Lift Station Pumps

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**Staff Recommendation:**

Staff recommends approval of the purchase request to Barney's Pumps for a total amount of \$49,639.00.

**Analysis:**

The purpose of this request is to purchase lift station pump equipment that will be installed by City Wastewater staff at the following lift stations.

- Lift Station 34 – Pump Package - \$13,081
- Lift Station 36 – Pump Package - \$13,081
- Lift Station 70 – Back up Pump - \$11,035
- Lift Station 106 – Back up Pump - \$12,442

The wastewater collection system includes 174 lift stations. Each lift station includes a holding tank, pumps and a SCADA monitoring and control panel. In addition, many of the lift stations have an emergency generator in the event of power outage. There are two primary lift station pump manufacturers, Hydromatic and Flygt. Currently 92% of our pumps, 319 of 346, are Hydromatic, 17 are Flygt and the remaining 10 are various other brands.

From a training and repair parts stockage perspective, it is advantageous to have all the pumps supplied by a single manufacturer. However, as a rule, I do not like sole source procurement so I invited Flygt representatives to present product information, essentially to encourage the field staff to be more receptive to the use of Flygt pumps. The presentation revealed: (1) the Flygt pump representative indicated Flygt pumps are generally more expensive; (2) Flygt pumps cannot be rebuilt in the field, they must be sent to an authorized repair facility. At one point toward the end of the presentation the representative said, given our current operations, he would not recommend purchasing their pumps.

Based on the surprising outcome of the meeting with product representatives, I am recommending utilization of Hydromatic pumps for our lift stations for the following reasons:

- a. We are currently at 92% utilization of Hydromatic pumps
- b. Using one type pump is far more efficient from an employee training perspective
- c. It is easier to stock repair parts for one type pump vs multiple pump manufacturers



- d. Hydromatic pumps can be rebuilt by city staff, whereas Flygt pumps must be sent out
- e. Hydromatic pumps are generally less expensive than the Flygt equivalent

#### Procurement Analysis:

Procurement recommends City Commission waive the competitive solicitation requirement and award this purchased as a single source due to standardization of equipment. This standardization of equipment carries with it territorial sales restrictions imposed by the manufacturer. Staff agrees the single source due to standardization on Hydromatic Pump equipment is reasonable and acceptable.

#### Options:

1. Approve the purchase of the pump equipment to Barney's Pumps; or
2. Such alternative action as the Commission may deem appropriate

#### Fiscal Impact:

Funds are available in the FY 17 budget.

Submission Date and Time: 12/7/2016 2:07 PM

|   |  |   |
|---|--|---|
| Department: Public Works<br>Prepared by: DC Maudlin<br>Attachments: Yes___ No ___<br>Advertised: ___ Not Required ___<br>Dates: _____<br>Attorney Review : Yes___ No ___<br><br>Revised 6/10/04 | Reviewed by: Dept. Head DCM<br><br>Finance Dept. _____<br><br>Deputy C.M. _____<br>Submitted by:<br>City Manager _____ | Account No. <u>044-4099-535.63-10</u><br><br>Project No. <u>440003</u><br><br>WF No. <u>Various</u><br><br>Req. No. <u>48767,48768,48769,48770</u><br>Budget _____<br><br>Available _____ |
|---|--|---|



# AGENDA MEMORANDUM

**Item No:** 5.C.1.

**Meeting Date:** December 12, 2016

**From:** Patrick M. Foster, P.E., Electric Director

**Subject:** Approving the adoption of the American Public Power Association (APPA) Safety Manual (the current 15<sup>th</sup> Edition and all future Editions) as the official Safety Manual of the Electric Department

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**Staff Recommendation:**

Staff recommends approval of the adoption of the American Public Power Association (APPA) Safety Manual (the current 15<sup>th</sup> Edition and all future Editions) as the official Safety Manual of the Electric Department's overall Safety Program.

**Analysis:**

The Electric Department has placed a high priority on the safety of its employees. A key component of the department's safety program is consistent safe work practices. The current Edition of the APPA Safety Manual (15<sup>th</sup> Edition) is currently utilized. The Electric Department has consistently utilized the previous Editions of the APPA Safety Manual.

The adoption of the American Public Power Association (APPA) Safety Manual would enhance and clarify safe work practices for the employees. Adding the APPA Safety Manual to the existing safety policies and manuals already utilized by the City of Leesburg, would continue to increase an already safe work environment.

The Electric Department has budgeted, in the 2016-2017 Annual Budget, for the APPA Safety Manual 16<sup>th</sup> Edition which is scheduled for release in early 2017. Because this expense is already a line item in our current budget, there will be no additional funds needed if approved.

**Options:**

1. Approve the adoption of the APPA Safety Manual as presented, or;
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

Funds are included in the current budget to purchase the manuals.

Submission Date and Time: 12/7/2016 2:07 PM

|   |   |  |
|---|---|--|
| Department: <u>Electric</u><br>Prepared by: <u>Chris Adkins</u><br>Attachments: Yes <u>X</u> No <u>    </u><br>Advertised: <u>    </u> Not Required <u>X</u><br>Dates: <u>    </u><br>Attorney Review : Yes <u>    </u> No <u>X</u><br><u>    </u><br>Revised 6/10/04 | Reviewed by: Dept. Head <u>Patrick M. Foster, P.E.</u><br><br>Finance Dept. <u>    </u><br><br>Deputy C.M. <u>    </u><br>Submitted by:<br>City Manager <u>    </u> | Account No. <u>041-1062-531-5410</u><br><br>Project No. <u>    </u><br><br>WF No. <u>    </u><br><br>Budget <u>    </u><br><br>Available <u>    </u> |
|---|---|--|

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA APPROVING THE ADOPTION OF THE  
AMERICAN PUBLIC POWER ASSOCIATION (APPA) SAFETY  
MANUAL (THE CURRENT 15TH EDITION AND ALL FUTURE  
EDITIONS) AS THE OFFICIAL SAFETY MANUAL OF THE  
ELECTRIC DEPARTMENT'S OVERALL SAFETY PROGRAM;  
AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:

**THAT** the City of Leesburg hereby authorizes the adoption of the American Public  
Power Association (APPA) Safety Manual (the current 15<sup>th</sup> Edition and all future editions) as  
the official safety manual of the Electric Department's overall safety program.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a  
regular meeting held the 12<sup>th</sup> day of December, 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

## FOREWORD

This *Safety Manual* has been prepared for the guidance and safety of all employees of publicly-owned electric utilities. Strict observance of safety rules is necessary to prevent unsafe acts and conditions. Lack of enforcement or repeated and flagrant violations of rules can only result in accidents, with accompanying injury and economic loss. A qualified person shall be assigned by the Utility to coordinate and facilitate the implementation of the requirements of this manual.

An accident is defined as an unplanned event invariably preceded by an unsafe act(s) and/or unsafe condition(s) that frequently results in injury or damage and interrupts the completion of an activity. Accidents are an unnecessary waste of both our human and economic resources. Though many accidents are due to unsafe conditions and can be minimized by periodic inspections and preventive maintenance, the majority of accidents are due to unsafe acts and human failure. It is the responsibility of every employee to comply with safety and health standards and all rules that are applicable to their own actions and conduct.

In the preparation of this *Safety Manual*, it is recognized that local conditions, laws, and regulations may cause some minor conflicts. In the event of such conflict, you are advised to adhere to the most restrictive regulations governing the situation in question. The publicly-owned electric utility has the responsibility for interpreting the rules contained in this *Safety Manual*.

This manual shall be observed in all situations to which it applies, without respect to where statements may appear.

The American Public Power Association (APPA) has acted as the publisher of this *Safety Manual* for its member utilities since 1977. The *Manual* is provided as part of an advisory service of APPA; the use of the *Safety Manual* is strictly voluntary. Each Utility and its employees decide the obligations and sanctions that emanate from the use of this *Manual*. APPA, its Safety Manual Revision Task Force,

Safety Committee members, and authors are providing safety rules and work procedures that they believe promote greater safety and economic welfare, but APPA, its Safety Manual Revision Task Force, Safety Committee members, and authors are not attempting to render engineering, legal, or other professional services. If such services are required, the assistance of an appropriate professional should be sought.

While APPA, its Safety Manual Revision Task Force, Safety Committee members, and authors have exercised a high degree of care in developing this *Manual*, none of these parties accept any liability resulting from compliance or noncompliance with the policies and procedures set forth herein, for any restrictions imposed on material or processes or for the completeness of the text. This publication is provided **"AS IS" WITHOUT WARRANTY OF ANY KIND, EITHER EXPRESSED OR IMPLIED, INCLUDING, BUT NOT LIMITED TO, THE IMPLIED WARRANTIES OF MERCHANTABILITY AND FITNESS FOR A PARTICULAR PURPOSE.** The entire risk for the quality, performance, and accuracy of the *Manual* and all reproductions or adaptations of the *Manual* is with the user.

APPA has no power or authority to police or enforce compliance with the contents of this document, and any certification of compliance with requirements of this document is made at the peril of the certifier.

References to the National Electrical Safety Code (NESC) are to highlight the use of an industry consensus document in the implementation of a safety program. APPA recommends that utilities purchase the latest edition of the NESC and use the code in its entirety to complete their safety program.

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| <b>Figure 511-1</b> | <b>Radio Frequency Radiation Warning Symbol</b> | <b>228</b> |





# AGENDA MEMORANDUM

**Item No:** 5.C.2.  
**Meeting Date:** December 12, 2016  
**From:** Patrick M. Foster, P.E., Electric Director  
**Subject:** Resolution accepting and approving a Utility Easement from Walling Crate Company

---

**Staff Recommendation:**

Staff recommends accepting and approving the Resolution for a Utility Easement from Walling Crate Company, recorded on October 17, 2016, under Instrument #2016107618, Official Records Book 4849, Pages 2177-2181, Public Records of Lake County Florida for property lying in Section 22, Township 19 South, Range 24 East, in the City of Leesburg, Florida.

**Analysis:**

Walling Crate Company is granting a Utility Easement to the City of Leesburg for the purpose of construction, installation, repair, maintenance, replacement and improvement of the underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications.

**Options:**

1. Adopt the Resolution accepting and approving the Utility Easement as presented, or;
2. Such alternative action as the Commission may deem appropriate

**Fiscal Impact:**

None

**Submission Date and Time:** 12/7/2016 2:07 PM

|   |  |   |
|---|--|---|
| Department: <u>Electric</u><br>Prepared by: <u>Sabrina Hubbell</u><br>Attachments: Yes <u>X</u> No <u>    </u><br>Advertised: <u>Not Required</u> <u>X</u><br>Dates: <u>                    </u><br>Attorney Review : Yes <u>X</u> No <u>    </u><br><u>                                </u><br>Revised 6/10/04 | Reviewed by: Dept. Head <u>    </u><br><u>Patrick M. Foster, P.E.</u><br><br>Finance Dept. <u>                    </u><br><br>Deputy C.M. <u>                    </u><br>Submitted by: <u>                    </u><br>City Manager <u>                    </u> | Account No. <u>                    </u><br><br>Project No. <u>                    </u><br><br>WF No. <u>                    </u><br><br>Budget <u>                    </u><br><br>Available <u>                    </u> |
|---|--|---|

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA ACCEPTING AND APPROVING A UTILITY EASEMENT FROM WALLING CRATE COMPANY TO THE CITY OF LEESBURG, FLORIDA FOR PROPERTY LYING IN SECTION 22, TOWNSHIP 19 SOUTH, RANGE 24 EAST, IN THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

**THAT** the City of Leesburg, Florida, does hereby accept from Walling Crate Company a Utility Easement, recorded on October 17, 2016, under Instrument #2016107618, Official Records Book 4849, Pages 2177-2181, Public Records of Lake County, Florida, conveying certain real property lying in Section 22, Township 19 South, Range 24 East, in the City of Leesburg, Lake County, Florida, and more particularly described in said Utility Easement, to the City of Leesburg.

**THIS RESOLUTION** shall become effective upon its passage and adoption according to law.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 12<sup>th</sup> day of December, 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

THIS INSTRUMENT PREPARED BY & RETURN TO:  
Fred A. Morrison  
McLin & Burnsed, P.A.  
Post Office Box 491357  
Leesburg, Florida 34749-1357



INSTRUMENT #2016107618  
OR BK 4849 PG 2177 - 2181 (5 PGS)  
DATE: 10/17/2016 2:01:01 PM  
NEIL KELLY, CLERK OF THE CIRCUIT COURT  
LAKE COUNTY  
RECORDING FEES \$44.00 DEED DOC \$0.70

## Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 8<sup>TH</sup> day of SEPTEMBER, 2016, by WALLING CRATE COMPANY, whose address is Post Office Box 490329, Leesburg, Florida 34749, hereafter referred to as Grantor, to THE CITY OF LEESBURG, FLORIDA, whose address is P.O. Box 490630, Leesburg, FL 34749-0630, hereafter referred to as Grantee,

### WITNESSETH:

That for and in consideration of the sum of \$1.00 and other good and valuable considerations, in hand paid and tendered unto Grantor, receipt whereof is hereby acknowledged, Grantor does hereby grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, a perpetual easement over and across the following described real property:

### AS DESCRIBED ON EXHIBIT "A" ATTACHED

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications. If Grantee damages any surface improvements in its use of this easement, it shall repair any such damage at its expense, and restore the improvements to substantially the same condition they were in prior to the damage. Grantee is also given an irrevocable license, for so long as this Easement remains in effect, to cross the adjoining real property owned by Grantor, for the purpose of conducting any activities permitted by this Easement provided that such right of passage shall not interfere substantially with Grantor's use of its adjoining property.

**TO HAVE AND TO HOLD** unto Grantee, its successors and assigns forever. Grantor does hereby warrant the title to the interests conveyed to Grantee hereunder and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, Grantor has set his or her hand and seal the day and year first above written. As used herein, the term "Grantor" shall refer to that person, or those persons, so named above, and shall be interpreted as being singular or plural, and shall be considered to have the person, number and gender appropriate to the context of the named individuals or entities.

WITNESSES (two required)

GRANTOR: WALLING CRATE COMPANY

*Linda Z. Weekley*  
Linda Z. Weekley  
(Type or print name of Witness)

BY:

*H. Bennett Walling*  
H. BENNETT WALLING, President

*Linda Blasly*  
Linda Blasly  
(Type or print name of witness)

STATE OF FLORIDA  
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared H. Bennett Walling, as President of Walling Crate Company, who acknowledged before me that he executed this instrument on the 8 day of September, 2016, and who was either ☒ personally known to me, or who ☐ produced \_\_\_\_\_ as identification.

*Linda Z. Weekley*  
NOTARY PUBLIC  
Linda Z. Weekley  
Type or print name of Notary

\_\_\_\_\_  
Commission Number

\_\_\_\_\_  
Commission expiration date



JOINDER & CONSENT OF MORTGAGEE

The undersigned, as holder of a mortgage or other lien on the above described property, as recorded in Official Records Book 4265, Page 1716, Public Records of Lake County, Florida, does hereby join in and consent to the granting of the easement to the City of Leesburg, Florida, and agrees that its interest in the property shall henceforth be inferior and subordinate to the easement rights herein created.

CITIZENS FIRST BANK

BY: 

**Brad Weber**


**Sr. Vice President**

Type or print name and position or title

STATE OF FLORIDA

COUNTY OF Sumter

BEFORE ME, the undersigned Notary Public, personally appeared Brad Weber, the Sr. Vice President of Citizens First Bank, who acknowledged before me that (s)he executed this instrument on the 6 day of September, 2016, and who was either ☒ personally known to me, or who ☐ produced \_\_\_\_\_ as identification.

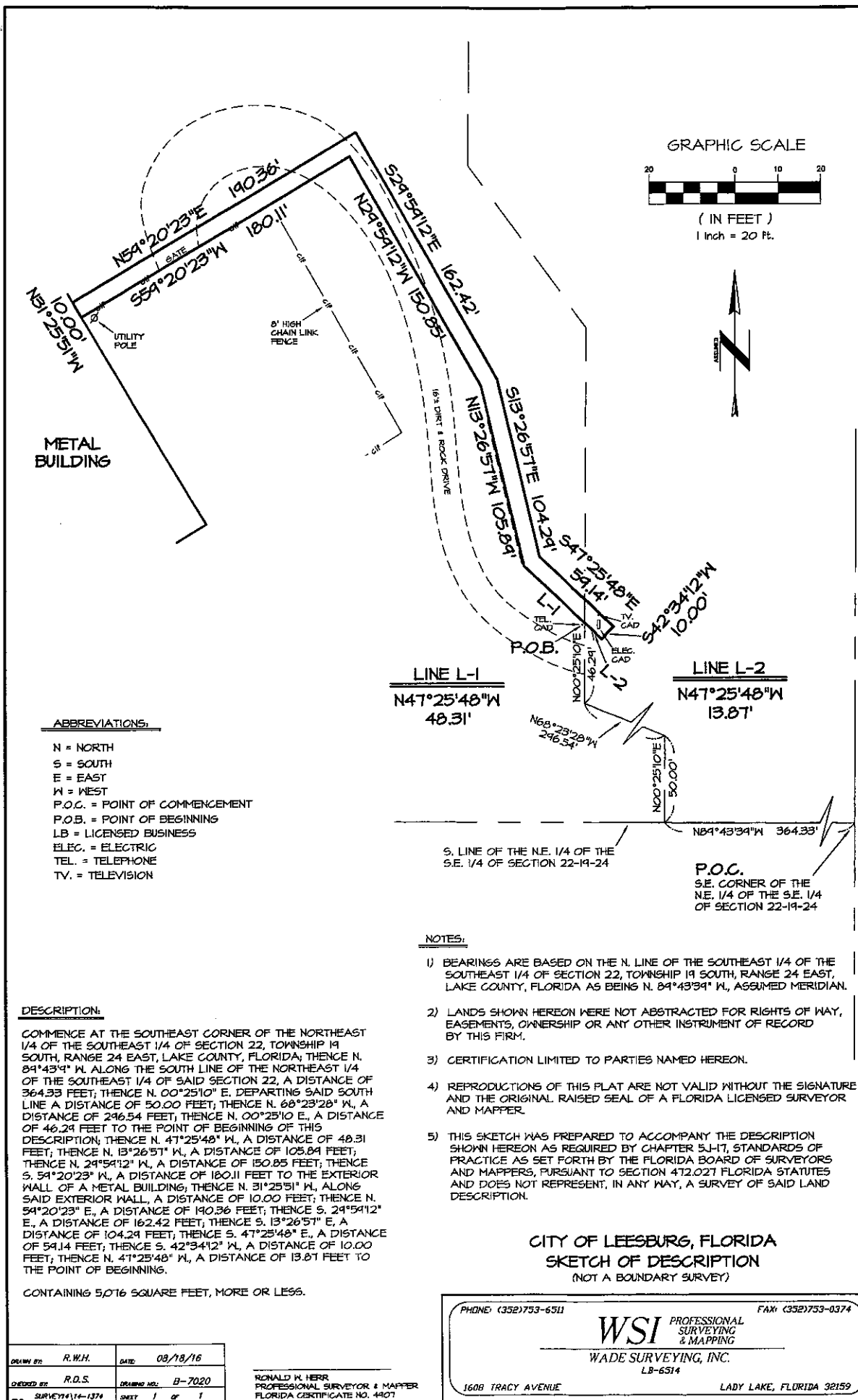
  
NOTARY PUBLIC  
LINDA G. GOODMAN

Commission Number \_\_\_\_\_

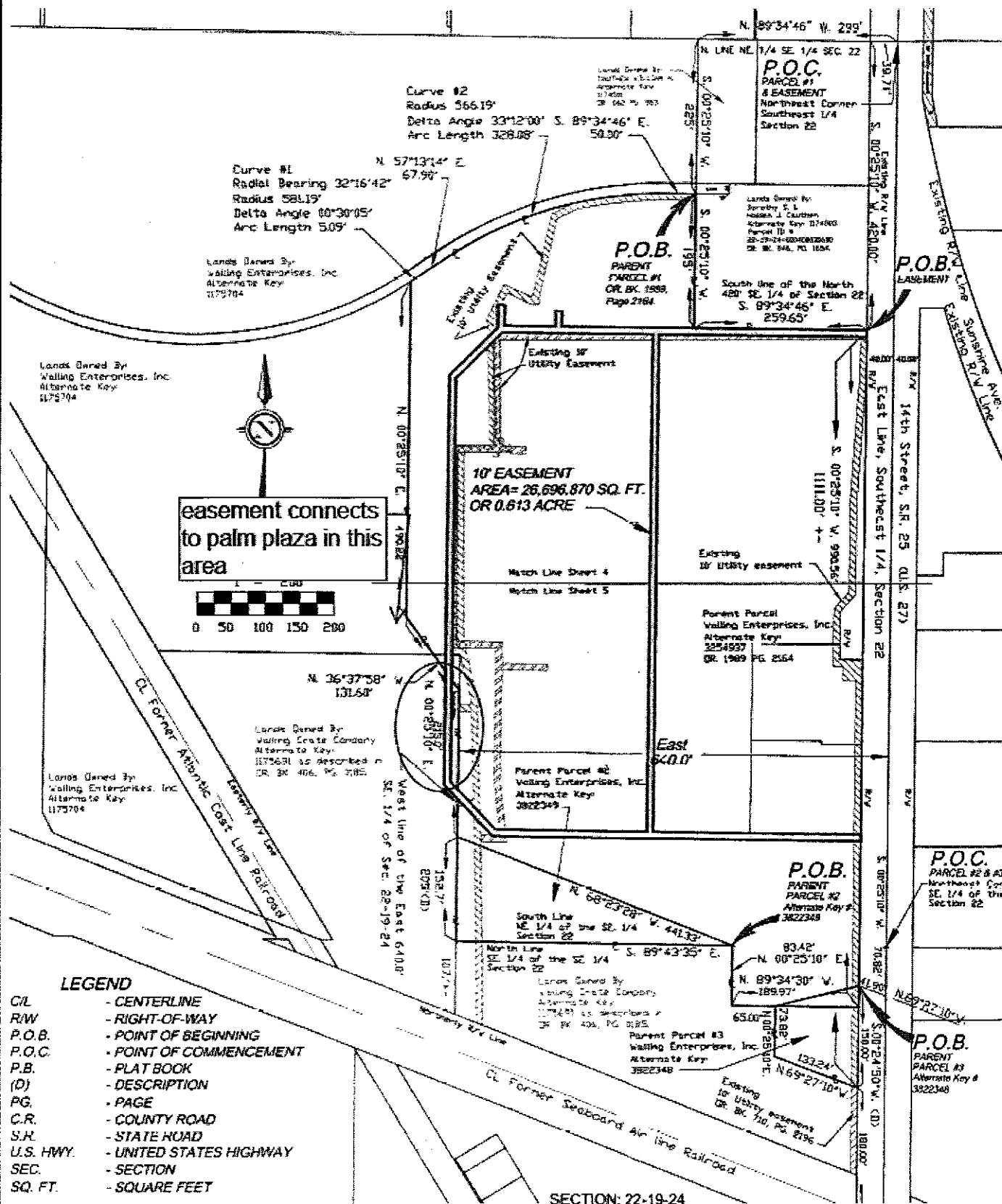
Type or print name of Notary

Commission expiration date \_\_\_\_\_





# EXHIBIT "A"



CITY OF LEESBURG  
PUBLIC WORKS DEPT.  
ENGINEERING DIVISION

## SKETCH OF DESCRIPTION 10' UTILITY EASEMENT

DATE: 08/23/2012  
DRAWN: DDF  
CHECKED: AP

SH  
NUI



# AGENDA MEMORANDUM

**Item No:** 5.C.3.

**Meeting Date:** December 12, 2016

**From:** Patrick M. Foster, P.E., Electric Director

**Subject:** Resolution accepting and approving a Utility Easement from Ro-Mac Lumber & Supply, Inc.

---

## Staff Recommendation:

Staff recommends accepting and approving a Utility Easement from Ro-Mac Lumber & Supply, Inc., recorded on September 9, 2016, in Official Records Book 4832, Pages 2393-2395, Public Records of Lake County Florida conveying certain real property lying in Section 25, Township 19 South, Range 24 East, in Lake county, Florida, and more particularly described in said Utility Easement to the City of Leesburg.

## Analysis:

Ro-Mac Lumber & Supply, Inc., is granting a Utility Easement to the City of Leesburg for the purpose of construction, installation, repair, maintenance, replacement and improvement of the underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications.

## Options:

1. Adopt the Resolution accepting and approving the Utility Easement as presented, or;
2. Such alternative action as the Commission may deem appropriate

## Fiscal Impact:

None

**Submission Date and Time:** 12/7/2016 2:07 PM

|   |  |   |
|---|--|---|
| Department: <u>Electric</u><br>Prepared by: <u>Sabrina Hubbell</u><br>Attachments: Yes <u>X</u> No <u>    </u><br>Advertised: <u>    </u> Not Required <u>X</u><br>Dates: <u>    </u><br>Attorney Review: Yes <u>X</u> No <u>    </u><br><u>    </u><br>Revised 6/10/04 | Reviewed by: Dept. Head <u>    </u><br><u>Patrick M. Foster, P.E.</u><br><br>Finance Dept. <u>    </u><br><br>Deputy C.M. <u>    </u><br>Submitted by: <u>    </u><br>City Manager <u>    </u> | Account No. <u>    </u><br><br>Project No. <u>    </u><br><br>WF No. <u>    </u><br><br>Budget <u>    </u><br><br>Available <u>    </u> |
|---|--|---|



RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA ACCEPTING AND APPROVING A UTILITY EASEMENT FROM RO-MAC LUMBER & SUPPLY, INC., TO THE CITY OF LEESBURG, FLORIDA FOR PROPERTY LYING IN SECTION 25, TOWNSHIP 19 SOUTH, RANGE 24 EAST, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

**THAT** the City of Leesburg, Florida, does hereby accept from Ro-Mac Lumber & Supply, Inc., a Utility Easement, recorded on September 9, 2016, in Official Records Book 4832, Pages 2393-2395, Public Records of Lake County, Florida, conveying certain real property lying in Section 25, Township 19 South, Range 24 East, Lake County, Florida, and more particularly described in said Utility Easement, to the City of Leesburg.

**THIS RESOLUTION** shall become effective upon its passage and adoption according to law.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 12<sup>th</sup> day of December, 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

THIS INSTRUMENT PREPARED BY & RETURN TO:  
Fred A. Morrison  
McLin Burnsed P.A.  
Post Office Box 491357  
Leesburg, Florida 34749-1357



INSTRUMENT #2016094327  
OR BK 4832 PG 2393 - 2395 (3 PGS)  
DATE: 9/9/2016 3:44:00 PM  
NEIL KELLY, CLERK OF THE CIRCUIT COURT  
LAKE COUNTY  
RECORDING FEES \$27.00 DEED DOC \$0.70

## Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 1<sup>st</sup> day of September, 2016, by **RO-MAC LUMBER & SUPPLY, INC.**, whose address is 700 East Main Street, Leesburg, Florida 34748, hereafter referred to as Grantor, to **THE CITY OF LEESBURG, FLORIDA**, whose address is P.O. Box 490630, Leesburg, FL 34749-0630, hereafter referred to as Grantee,

### WITNESSETH:

That for and in consideration of the sum of \$1.00 and other good and valuable considerations, in hand paid and tendered unto Grantor, receipt whereof is hereby acknowledged, Grantor does hereby grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, a perpetual easement over and across the following described real property in Lake County, Florida:

BEING A PORTION OF LOTS 18 AND 19, BLOCK 60, CITY OF LEESBURG, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 19, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA. BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

COMMENCE AT A POINT ON THE WEST LINE OF LOT 16, BLOCK 60, CITY OF LEESBURG, ACCORDING TO THE PLAT THEREOF, RECORDED IN PLAT BOOK 2, PAGE 19, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA AND THE NORTH RIGHT-OF-WAY LINE OF MAIN STREET, (HAVING A 60.00 FEET WIDE RIGHT OF WAY); THENCE S. 88°00'37" E. ALONG THE NORTH RIGHT-OF-WAY LINE OF MAIN STREET, A DISTANCE OF 336.03 FEET TO THE POINT OF BEGINNING OF THIS DESCRIPTION; FROM SAID POINT OF BEGINNING RUN THENCE N. 01°01'13" E. DEPARTING SAID NORTH RIGHT-OF-WAY LINE, A DISTANCE OF 95.30 FEET; THENCE N. 89°04'34" W., A DISTANCE OF 1.50 FEET; THENCE N. 01°01'13" E., A DISTANCE OF 2.50 FEET; THENCE N. 89°04'34" W., A DISTANCE OF 20.59 FEET; THENCE N. 63°39'20" W., A DISTANCE OF 31.92 FEET TO THE EAST WALL OF A METAL BUILDING; THENCE N. 00°45'03" E. ALONG SAID EAST WALL, A DISTANCE OF 11.09 FEET; THENCE S. 63°39'20" E., DEPARTING SAID EAST WALL, A DISTANCE OF 34.45 FEET; THENCE S. 89°04'34" E., A DISTANCE OF 18.35 FEET; THENCE N. 01°01'13" E., A DISTANCE OF 2.52 FEET TO THE SOUTH WALL OF A METAL BUILDING; THENCE S. 89°19'45" E. ALONG SAID SOUTH WALL, A DISTANCE OF 13.00 FEET; THENCE S. 01°01'13" W. DEPARTING SAID SOUTH WALL, A DISTANCE OF 4.12 FEET; THENCE S. 74°20'21" E., A DISTANCE OF 25.56 FEET; THENCE S. 15°39'39" W., A DISTANCE OF 10.00 FEET; THENCE N. 74°20'21" W., A DISTANCE OF 22.94 FEET; THENCE S. 01°01'13" W., A DISTANCE OF 0.62 FEET; THENCE N. 89°04'34" W., A DISTANCE OF 1.50 FEET; THENCE S. 01°01'13" W., A DISTANCE OF 95.49 FEET TO THE AFORESAID NORTH RIGHT-OF-WAY

LINE; THENCE N. 88°00'37" W. ALONG SAID NORTH RIGHT-OF-WAY LINE, A  
DISTANCE OF 10.00 FEET TO THE POINT OF BEGINNING.

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications. If Grantee damages any surface improvements in its use of this easement, it shall repair any such damage at its expense, and restore the improvements to substantially the same condition they were in prior to the damage. Grantee is also given an irrevocable license, for so long as this Easement remains in effect, to cross the adjoining real property owned by Grantor, for the purpose of conducting any activities permitted by this Easement provided that such right of passage shall not interfere substantially with Grantor's use of its adjoining property.

**TO HAVE AND TO HOLD** unto Grantee, its successors and assigns forever. Grantor does hereby warrant the title to the interests conveyed to Grantee hereunder and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, Grantor has set his or her hand and seal the day and year first above written. As used herein, the term "Grantor" shall refer to that person, or those persons, so named above, and shall be interpreted as being singular or plural, and shall be considered to have the person, number and gender appropriate to the context of the named individuals or entities.

WITNESSES (two required)

GRANTOR: RO-MAC LUMBER  
& SUPPLY, INC.

Diana M. Allen  
Diana M. Allen  
(Type or print name of Witness)

BY: H.D. Robuck, Jr.  
H.D. ROBUCK, JR., President

Karen A. Davis  
Karen A. Davis  
(Type or print name of witness)

STATE OF FLORIDA  
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared H.D. Robuck, Jr. as President of Ro-Mac Lumber & Supply, Inc., who acknowledged before me that he executed this instrument on the 15<sup>th</sup> day of Sept., 2016, and who was either ☒ personally known to me, or who ☐ produced \_\_\_\_\_ as identification.

Karen A. Davis  
NOTARY PUBLIC  
Karen A. Davis  
Type or print name of Notary



Commission expiration date

**JOINDER & CONSENT OF MORTGAGEE**

The undersigned, as holder of a mortgage or other lien on the above described property, as recorded in Official Records Book 4802, Page 1123, Public Records of Lake County, Florida, does hereby join in and consent to the granting of the easement to the City of Leesburg, Florida, and agrees that its interest in the property shall henceforth be inferior and subordinate to the easement rights herein created.

**IBERIABANK**

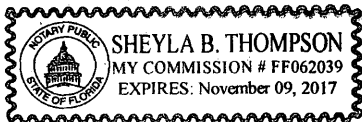
BY: James P Caruso Jr  
Vice President  
Type or print name and position or title

STATE OF Florida  
COUNTY OF Orange

BEFORE ME, the undersigned Notary Public, personally appeared James P Caruso Jr, the vice president of Iberiabank, who acknowledged before me that (s)he executed this instrument on the day of August 23rd, 2016, and who was either ☒ personally known to me, or who ☐ produced \_\_\_\_\_ as identification.

Shenja B Thompson  
NOTARY PUBLIC  
Shenja B Thompson  
Type or print name of Notary

FF062039  
Commission Number  
11/9/2017  
Commission expiration date





# AGENDA MEMORANDUM

**Item No:** 5.C.4.

**Meeting Date:** December 12, 2016

**From:** DC Maudlin, Director of Public Works

**Subject:** Resolution accepting and approving a Utility Easement from The Oaks of Leesburg Condominium Association, Inc.

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## Staff Recommendation:

Staff recommends accepting and approving the Resolution for a Utility Easement from The Oaks of Leesburg Condominium Association, Inc. recorded on August 31, 2016, in the Official Records Book 4828, Pages 2413-2415, Public Record of Lake County, Florida, conveying certain real property located in The Oaks of Leesburg, Phase I, a condominium, Lake County, Florida and more particularly described in said Utility Easement to the City of Leesburg.

## Analysis:

The Oaks of Leesburg Condominium Association, Inc. is granting a Utility Easement to the City of Leesburg for the purpose of construction, installation, repair, maintenance, replacement and improvement of the underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications.

## Options:

1. Adopt the Resolution accepting and approving the Utility Easement as presented, or;
2. Such alternative action as the Commission may deem appropriate

## Fiscal Impact:

None

**Submission Date and Time:** 12/7/2016 2:07 PM

|  |   |   |
|--|---|---|
| Department: <u>Public Works</u><br>Prepared by: <u>Laurie Franchi</u><br>Attachments: Yes <u>X</u> No <u>    </u><br>Advertised: <u>    </u> Not Required <u>X</u><br>Dates: <u>    </u><br>Attorney Review: Yes <u>X</u> No <u>    </u><br><u>    </u><br>Revised 6/10/04 | Reviewed by: Dept. Head <u>DCM</u><br><br>Finance Dept. <u>    </u><br><br>Deputy C.M. <u>    </u><br>Submitted by: <u>    </u><br>City Manager <u>    </u> | Account No. <u>    </u><br><br>Project No. <u>    </u><br><br>WF No. <u>    </u><br><br>Budget <u>    </u><br><br>Available <u>    </u> |
|--|---|---|

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA ACCEPTING AND APPROVING A  
UTILITY EASEMENT FROM THE OAKS OF LEESBURG  
CONDOMINIUM ASSOCIATION, INC., TO THE CITY OF  
LEESBURG, FLORIDA, FOR PROPERTY LOCATED IN THE  
OAKS OF LEESBURG, PHASE I, A CONDOMINIUM, LAKE  
COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:

**THAT** the Mayor and City Clerk are hereby authorized to execute an agreement  
with The Oaks of Leesburg Condominium Association, Inc. whose address is 903 Belle Oak  
Drive, Leesburg, FL 34748, for Utility Easement.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a  
regular meeting held the 12th day of December 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk

THIS INSTRUMENT PREPARED BY & RETURN TO:  
Fred A. Morrison  
McLin Burnsed P.A.  
Post Office Box 491357  
Leesburg, Florida 34749-1357



INSTRUMENT #2016091143  
OR BK 4828 PG 2413 - 2415 (3 PGS)  
DATE: 8/31/2016 2:30:58 PM  
NEIL KELLY, CLERK OF THE CIRCUIT COURT  
LAKE COUNTY  
RECORDING FEES \$27.00 DEED DOC \$0.70

## Utility Easement

RESERVED FOR RECORDING

THIS EASEMENT given the 26<sup>th</sup> day of August, 2016, by THE OAKS OF LEESBURG CONDOMINIUM ASSOCIATION, INC., whose address is 903 Belle Oak Drive, Leesburg, Florida 34748, hereafter referred to as Grantor, to THE CITY OF LEESBURG, FLORIDA, whose address is P.O. Box 490630, Leesburg, FL 34749-0630, hereafter referred to as Grantee,

### WITNESSETH:

That for and in consideration of the sum of \$1.00 and other good and valuable considerations, in hand paid and tendered unto Grantor, receipt whereof is hereby acknowledged, Grantor does hereby grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, a perpetual easement over and across the following described real property:

### AS DESCRIBED ON EXHIBIT "A" ATTACHED

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications. If Grantee damages any surface improvements in its use of this easement, it shall repair any such damage at its expense, and restore the improvements to substantially the same condition they were in prior to the damage. Grantee is also given an irrevocable license, for so long as this Easement remains in effect, to cross the adjoining real property owned by Grantor, for the purpose of conducting any activities permitted by this Easement provided that such right of passage shall not interfere substantially with Grantor's use of its adjoining property.

TO HAVE AND TO HOLD unto Grantee, its successors and assigns forever. Grantor does hereby warrant the title to the interests conveyed to Grantee hereunder and will defend the same against the lawful claims of all persons whomsoever.

IN WITNESS WHEREOF, Grantor has set his or her hand and seal the day and year first above written. As used herein, the term "Grantor" shall refer to that person, or those persons, so named above, and shall be interpreted as being singular or plural, and shall be considered to have the person, number and gender appropriate to the context of the named individuals or entities.



WITNESSES (two required)

GRANTOR: THE OAKS OF LEESBURG  
CONDOMINIUM ASSOCIATION, INC.

*Gail M. Taylor*  
GAIL M. TAYLOR  
(Type or print name of Witness)

BY: *Barbara Cordes*  
BARBARA CORDES, President

*H. Michelle Bakich*  
H. Michelle Bakich  
(Type or print name of Witness)

STATE OF FLORIDA  
COUNTY OF Lake

BEFORE ME, the undersigned Notary Public, personally appeared Barbara Cordes, as President of The Oaks of Leesburg Condominium Association, Inc., who acknowledged before me that she executed this instrument on the 26<sup>th</sup> day of August, 2016, and who was either ☐ personally known to me, or who ☒ produced FL DRIVERS LIC. as identification.

*H. Michelle Bakich*  
NOTARY PUBLIC  
H. Michelle Bakich  
Type or print name of Notary

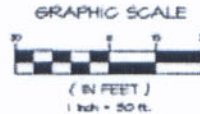
FF133902  
Commission Number  
2-18-2018  
Commission expiration date



H. MISHELLE BAKICH  
MY COMMISSION # FF 133902  
EXPIRES: February 18, 2018  
Bonded Thru Budget Notary Services



- 1) MEASUREMENTS ARE BASED ON THE NORTH LINE OF LOT IN THE RECORD OF INSTRUMENT AS BEING S. 89°46'40" E. ASSUMED PLAT.
- 2) LANDS SHOWN HEREON WERE NOT ABSTRACTED FROM RIGHTS OF WAY, EASEMENTS, OWNERSHIP OR ANY OTHER INSTRUMENT OF RECORD BY THIS FIRM.
- 3) CERTIFICATION LIMITED TO PARTIES NAMED HEREON.
- 4) REPRODUCTIONS OF THIS PLAT ARE NOT VALID WITHOUT THE SIGNATURE AND THE ORIGINAL RAISED SEAL OF A FLORIDA LICENSED SURVEYOR AND MAPPER.
- 5) THIS SKETCH WAS PREPARED TO ACCOMPANY THE DESCRIPTION SHOWN HEREON AS REQUIRED BY CHAPTER 5-11, STANDARDS OF PRACTICE AS SET FORTH BY THE FLORIDA BOARD OF SURVEYORS AND MAPPERS, PURSUANT TO SECTION 4-103(1) FLORIDA STATUTES AND DOES NOT REPRESENT, IN ANY WAY, A SURVEY OF SAID LAND DESCRIPTION.



H. LINE OF THE S.E. 1/4 OF THE  
S.W. 1/4 OF SECTION 26-14-24

THE OAKS OF LEESEBURG  
PHASE I, A CONDOMINIUM  
O.R.B. 833, PAGE 2342

5. LINE OF THE DAKS OF LEESBURG, IN PAGE 1  
A CONDOMINIUM (D.R.B. 855, PAGE 2342).

589°46'40"E 165.00'

N 89° 46' 40" W - - - - - 165.00'

N. LINE OF LOT 16, THE ARBORE OF  
LEESBURG, PLAT BOOK 52, PAGES 91-93

LOT

LOT  
17

THE ARBORS OF LAKE HARRIS  
FLAT BOOK 32, PAGES 31, 32 & 33

N = NORTH  
S = SOUTH  
E = EAST  
W = WEST  
P.O.B. = POINT OF BEGINNING  
C.L. = CENTERLINE  
U.E. = UTILITY EASEMENT  
D.E. = DRAINAGE EASEMENT  
L.B. = LICENSED BUSINESS  
O.R.S. = OFFICIAL RECORDS BOOK  
LAKE COUNTY, FLORIDA

A 5.00 FEET WIDE DRAINAGE AND UTILITY EASEMENT BEING THE SOUTH 5.00 FEET OF THE OAKS OF LEEBSBURG, PHASE I, A CONDOMINIUM, RECORDED IN OFFICIAL RECORDS BOOK 033, PAGE 2342, PUBLIC RECORDS OF LAKE COUNTY, FLORIDA.

CONTAINING 826 SQUARE FEET, MORE OR LESS.

CITY OF LEESBURG  
SKETCH & DESCRIPTION  
(NOT A BOUNDARY SURVEY)



PHONE 01527 537-6511

FAX: 0821/753-6374

**WSI** PROFESSIONAL  
SURVEYING  
& MAPPING  
WADE SURVEYING, INC.  
LP-4514

1408 TRACY AVENUE

LARY LANC. D. JESSE 2019

SHEET 1 OF 1 SHEET

|               |                   |            |          |
|---------------|-------------------|------------|----------|
| afegit per    | R.M.K.            | DATA       | 07/06/76 |
| correctat per | R.D.S.            | afegit amb | 8-0303-A |
| per           | ADAPTACIÓ DE TEXT | DATA       | 1 0 1    |



# AGENDA MEMORANDUM

**Item No:** 5.C.5.

**Meeting Date:** December 12, 2016

**From:** DC Maudlin, Director of Public Works

**Subject:** Resolution accepting and approving a Utility Easement from Dennis L. Bain and Patricia S. Bain Co-Trustees of the Bain Living Trust

---

## Staff Recommendation:

Staff recommends accepting and approving the Resolution for a Utility Easement from Dennis L. Bain and Patricia S. Bain Co-Trustees of the Bain Living Trust recorded on August 29, 2016, in the Official Records Book 4827, Pages 475-477, Public Records of Lake County, Florida conveying certain real property located at Lot 16, The Arbors of Lake Harris, Lake County, Florida and or particularly described in said Utility Easement, to the City of Leesburg.

## Analysis:

Dennis L. Bain and Patricia S. Bain Co-Trustees of the Bain Living Trust, are granting a Utility Easement to the City of Leesburg for the purpose of construction, installation, repair, maintenance, replacement and improvement of the underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications.

## Options:

1. Adopt the Resolution accepting and approving the Utility Easement as presented, or:
2. Such alternative action as the Commission may deem appropriate.

## Fiscal Impact:

None

**Submission Date and Time:** 12/7/2016 2:07 PM

|   |   |   |
|---|---|---|
| Department: <u>Public Works</u><br>Prepared by: <u>Laurie Franchi</u><br>Attachments: Yes <u>X</u> No <u>    </u><br>Advertised: <u>    </u> Not Required <u>X</u><br>Dates: <u>    </u><br>Attorney Review : Yes <u>X</u> No <u>    </u><br><u>    </u><br>Revised 6/10/04 | Reviewed by: Dept. Head <u>DCM</u><br><br>Finance Dept. <u>    </u><br><br>Deputy C.M. <u>    </u><br>Submitted by:<br>City Manager <u>    </u> | Account No. <u>    </u><br><br>Project No. <u>    </u><br><br>WF No. <u>    </u><br><br>Budget <u>    </u><br><br>Available <u>    </u> |
|---|---|---|

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA ACCEPTING AND APPROVING A  
UTILITY EASEMENT FROM DENNIS L. BAIN AND PATRICIA  
S. BAIN, CO-TRUSTEES, TO THE CITY OF LEESBURG,  
FLORIDA, FOR PROPERTY LOCATED IN LOT 16, THE  
ARBORS OF LAKE HARRIS, LAKE COUNTY FLORIDA; AND  
PROVIDING AN EFFECTIVE DATE.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:**

**THAT** the City of Leesburg, Florida, does hereby accept from Dennis L. Bain and Patricia S. Bain, Co-Trustees of the Bain Living Trust dated October 28, 2004, a Utility Easement, recorded on August 29, 2016, in Official Records Book 4827, pages 475-477, Public Records of Lake County, Florida, conveying certain real property located in Lot 16, The Arbors of Lake Harris, Lake County, Florida, and more particularly described in said Utility Easement, to the City of Leesburg.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 12th day of December 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



THIS INSTRUMENT PREPARED BY & RETURN TO:  
Fred A. Morrison  
McLin Burnsed P.A.  
Post Office Box 491357  
Leesburg, Florida 34749-1357

**Utility Easement**

RESERVED FOR RECORDING

THIS EASEMENT given the 8<sup>25<sup>TH</sup></sup> day of AUGUST, 2016, by DENNIS L. BAIN AND PATRICIA S. BAIN, CO-TRUSTEES OF THE BAIN LIVING TRUST, DATED OCTOBER 28, 2004, whose address is 930 Belle Oak Drive, Leesburg, Florida 34748, hereafter referred to as Grantor, to THE CITY OF LEESBURG, FLORIDA, whose address is P.O. Box 490630, Leesburg, FL 34749-0630, hereafter referred to as Grantee,

**WITNESSETH:**

That for and in consideration of the sum of \$1.00 and other good and valuable considerations, in hand paid and tendered unto Grantor, receipt whereof is hereby acknowledged, Grantor does hereby grant, bargain, sell, convey and confirm unto Grantee, its successors and assigns forever, a perpetual easement over and across the following described real property:

**AS DESCRIBED ON EXHIBIT "A" ATTACHED**

for the purpose of construction, installation, repair, maintenance, replacement and improvement of underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications. If Grantee damages any surface improvements in its use of this easement, it shall repair any such damage at its expense, and restore the improvements to substantially the same condition they were in prior to the damage. Grantee is also given an irrevocable license, for so long as this Easement remains in effect, to cross the adjoining real property owned by Grantor, for the purpose of conducting any activities permitted by this Easement provided that such right of passage shall not interfere substantially with Grantor's use of its adjoining property.

**TO HAVE AND TO HOLD** unto Grantee, its successors and assigns forever. Grantor does hereby warrant the title to the interests conveyed to Grantee hereunder and will defend the same against the lawful claims of all persons whomsoever.

**IN WITNESS WHEREOF**, Grantor has set his or her hand and seal the day and year first above written. As used herein, the term "Grantor" shall refer to that person, or those persons, so named above, and shall be interpreted as being singular or plural, and shall be considered to have the person, number and gender appropriate to the context of the named individuals or entities.

WITNESSES (two required)

Joanne A. Nave  
JOANNE A. NAVE

(Type or print name of Witness)

Priscilla Duttenhaver  
JOANNE A. NAVE

(Type or print name of Witness)

Priscilla Duttenhaver

GRANTORS:

Dennis L. Bain  
DENNIS L. BAIN, Co-Trustee

of The Bain Living Trust, dated October  
28, 2004

Patricia S. Bain  
PATRICIA S. BAIN, Co-Trustee of The Bain

Living Trust, dated October 28, 2004

STATE OF FLORIDA  
COUNTY OF LAKE

BEFORE ME, the undersigned Notary Public, personally appeared Dennis L. Bain and Patricia S. Bain, Co-Trustees of The Bain Living Trust, dated October 28, 2004, who acknowledged before me that they executed this instrument on the 25th day of August, 2016, and who were either ☐ personally known to me, or who ☒ produced Florida Drivers' Licenses as identification.

Priscilla Duttenhaver

NOTARY PUBLIC

Priscilla Duttenhaver

Type or print name of Notary

Commission Number

Commission expiration date



PRISCILLA DUTTENHAVER  
MY COMMISSION # FF 158312  
EXPIRES: November 3, 2018  
Bonded Thru Budget Notary Services





# AGENDA MEMORANDUM

**Item No:** 5.C.6.

**Meeting Date:** December 12, 2016

**From:** DC Maudlin, Director of Public Works

**Subject:** Resolution accepting and approving a Quit Claim Deed from Dennis L. Bain and Patricia S. Bain Co-Trustees of the Bain Living Trust

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## Staff Recommendation:

Staff recommends accepting and approving the Resolution for a Quit Claim Deed from Dennis L. Bain and Patricia S. Bain Co- Trustees for the Bain Living Trust to the City of Leesburg dated November 2, 2016 and recorded on November 7, 2016 under Instrument #2016116133, Official Records Book 4860, Page 432, Public Records of Lake County, Florida, conveying certain real property lying in Tract "A" of Palm Harbor Subdivision, in the City of Leesburg, Lake County, Florida, and more particularly described in said Quit Claim Deed, to the City of Leesburg.

## Analysis:

Dennis L. Bain and Patricia S. Bain Co-Trustees of the Bain Living Trust, are granting a Quit Claim Deed to the City of Leesburg for the purpose of construction, installation, repair, maintenance, replacement and improvement of the underground or above ground utilities, including but not limited to water, sewer, reuse water, natural gas, electricity, cable television, fiber optics, and telecommunications.

## Options:

1. Adopt the Resolution accepting and approving the Quit Claim Deed as presented, or;
2. Such alternative action as the Commission may deem appropriate.

## Fiscal Impact:

None

**Submission Date and Time:** 12/7/2016 2:07 PM

|  |   |   |
|--|---|---|
| Department: <u>Public Works</u><br>Prepared by: <u>Laurie Franchi</u><br>Attachments: Yes <u>X</u> No <u>    </u><br>Advertised: <u>Not Required</u> <u>X</u><br>Dates: <u>                    </u><br>Attorney Review : Yes <u>X</u> No <u>    </u><br><u>                                    </u><br>Revised 6/10/04 | Reviewed by: Dept. Head <u>DCM</u><br><br>Finance Dept. <u>                    </u><br><br>Deputy C.M. <u>                    </u><br>Submitted by:<br>City Manager <u>                    </u> | Account No. <u>                    </u><br><br>Project No. <u>                    </u><br><br>WF No. <u>                    </u><br><br>Budget <u>                    </u><br><br>Available <u>                    </u> |
|--|---|---|

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA ACCEPTING AND APPROVING A QUIT CLAIM DEED FROM DENNIS L. BAIN AND PATRICIA S. BAIN, CO-TRUSTEES, TO THE CITY OF LEESBURG, FLORIDA, FOR PROPERTY LYING TRACT "A", PALM HARBOR SUBDIVISION, IN THE CITY OF LEESBURG, LAKE COUNTY, FLORIDA; AND PROVIDING AN EFFECTIVE DATE.

BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG, FLORIDA:

**THAT** the City of Leesburg, Florida, does hereby accept from Dennis L. Bain and Patricia S. Bain, Co-Trustees of the Bain Living Trust dated October 28, 2004, a Quit Claim Deed dated November 2, 2016, and recorded on November 7, 2016, under Instrument #2016116133, Official Records Book 4860, Page 432, Public Records of Lake County, Florida, conveying certain real property lying in Tract "A" of Palm Harbor Subdivision, in the City of Leesburg, Lake County, Florida, and more particularly described in said Quit Claim Deed, to the City of Leesburg.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 12th day of December 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk



INSTRUMENT PREPARED BY & RETURN TO:

Dennis L. Bain  
930 Belle Oak Drive  
Leesburg, Florida 34748-6765  
Tel: 352-315-0488

For:

Lake County Florida  
Parcel # 26-19-24-295000A00000  
Alternate Key # 578408

OFFICIAL USE ONLY

## ~ QUIT CLAIM DEED ~

Page 1 of 2

Prepared on September 13, 2016

In the State of Florida, County of Lake, know all by these presents that, for and in consideration of the sum of \$1.00 and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the below-named grantor (hereinafter "Grantor") hereby quitclaims to the below-named grantee (hereinafter "Grantee") and Grantee's heirs and assigns forever, all of Grantor's right, title, interest, and claim, and subject to all easements, encumbrances, protective covenants, rights-of-way, mineral rights, and other conditions and restrictions, if any, in or to the following described real estate located at : **A Vacant Parcel On Palm Harbor Court, Having No Street Address, In The City of Leesburg, In Lake County, Florida** (hereinafter the "Property").

**Being Legally Described As:** LEESBURG, PALM HARBOR SUB S 531.20 FT OF TRACT A PB 25 PG 58|ORB 4018 PG 822 ORB 4279 PG 1985 |

**AKA- Vacant Tax Parcel Number 26-19-24-295000A00000** Having the **Alternate Key number of 2578408** in the Lake County Property Appraiser's Office in Lake County Florida.

**Grantor:** JIMMY L. GRIGSBY and KATHLEEN A. GRIGSBY TRUSTEES, as trustees on behalf of the THE GRIGSBY FAMILY TRUST Dated September 20, 2000.

Their official tax mailing address being: **Jimmy L. & Kathleen A. Grigsby**  
**7964 High Street**  
**La Mesa, California 91941**

**Grantee:** DENNIS L. BAIN and PATRICIA S. BAIN CO-TRUSTEES, as trustees on behalf of the THE BAIN LIVING TRUST Dated October 28, 2004

Their official tax mailing address being: **Dennis L. & Patricia S. Bain**  
**930 Belle Oak Drive**  
**Leesburg, Florida 34748-6765**

*Continued on Page 2 of 2.*

*This document is only valid with all pages being presented. Any alteration may constitute civil and criminal penalties.*

~ QUIT CLAIM DEED ~ Page 2 of 2 Prepared on September 13, 2016  
Lake County Florida Parcel # 26-19-24-295000A00000 Alternate Key # 578408

The undersigned and witnessed said Grantor(s) has signed, sealed and executed this Quit Claim Deed to the Grantee on the date specified below.

**Grantor(s) (or authorized agent)**

Signature of: Jimmy L. Grigsby, Date 9-19-16  
Jimmy L. Grigsby Trustee

Signed in my capacity as trustee on behalf of the THE GRIGSBY FAMILY TRUST Dated September 20, 2000.

Signature of: Kathleen A. Grigsby, Date 9-19-2016  
Kathleen A. Grigsby Trustee

Signed in my capacity as trustee on behalf of the THE GRIGSBY FAMILY TRUST Dated September 20, 2000.

**Witness:**

On this the 19 day of September, 20 16, the foregoing QUIT CLAIM DEED was sworn to and acknowledged before me by all of the above signed, person(s), known or proven to me to be the person(s) whose name(s) is/are subscribed to within the instrument:

1<sup>st</sup> Witness Signature: William H. Grigsby

Witness Printed Name: William H. Grigsby

**PUBLIC NOTARY:** (Notary shall also constitute a second witness.)

State of California, County of \_\_\_\_\_ On (Date) \_\_\_\_\_  
**Jimmy L. Grigsby Trustee and Kathleen A. Grigsby Trustee**, personally appeared before me, as signatories of the forgoing instrument, who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature \_\_\_\_\_

(Seal)

See Attached for Official Notarization

**CALIFORNIA ALL-PURPOSE  
CERTIFICATE OF ACKNOWLEDGMENT**  
(CALIFORNIA CIVIL CODE § 1189)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

STATE OF CALIFORNIA

COUNTY OF San Diego

On 19 September 2014 before me, C. Jaron, Notary Public  
(Date) (Here Insert Name and Title of the Officer)

personally appeared Jimmy L. Grigsby and Kathleen A. Grigsby  
who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are  
subscribed to the within instrument and acknowledged to me that he/she/they executed the same  
in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument  
the person(s) or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing  
paragraph is true and correct.

WITNESS my hand and official seal.

C. Jaron  
Signature of Notary Public

(Notary Seal)



**ADDITIONAL OPTIONAL INFORMATION**

**Description of Attached Document**

Title or Type of Document: Quit Claim Deed Document Date: 13 Sept 2014

Number of Pages: 2 Signer(s) Other Than Named Above: \_\_\_\_\_

Additional Information: \_\_\_\_\_

RETURN

THIS DOCUMENT PREPARED BY/RETURN TO:

Fred A. Morrison  
McLin Burnsed P.A.  
Post Office Box 491357  
Leesburg, FL 34749-1357

QUIT CLAIM DEED

(RESERVED FOR RECORDING)

THIS INDENTURE, made this 2<sup>nd</sup> day of Nov., 2016, between **Dennis L. Bain and Patricia S. Bain, Co-Trustees of the Bain Living Trust dated October 28, 2004**, whose address is 930 Belle Oak Drive, Leesburg, FL 34748-6765, Grantor\*, and **The City of Leesburg, Florida**, whose address is Post Office Box 490630, Leesburg, FL, 34749-0630, Grantee\*,

\*"Grantor" and "Grantee" are used for singular or plural, as context requires.

**WITNESSETH**, that said Grantor, for and in consideration of the sum of TEN AND NO/100 (\$10.00) DOLLARS, other good and valuable considerations to said Grantor in hand paid by Grantee, the receipt whereof is hereby acknowledged, do hereby remise, release and quitclaim unto the said Grantee, and Grantee's heirs and assigns forever, the following described land, situate and being in Lake County, Florida, to-wit:

The North 420.00 feet of the South 531.20 feet of Tract "A", PALM HARBOR,  
According to the plat thereof, recorded in Plat Book 25, Page 58, Public Records  
of Lake County, Florida.

**SUBJECT TO** easements and reservations of record, if any, but this instrument shall not operate to reimpose the same.

TO HAVE AND TO HOLD unto Grantee, and Grantee's heirs and assigns forever.

IN WITNESS WHEREOF Grantor has hereunto set Grantor's hand and seal the day and year first above written.

WITNESSES:

Mischelle Bakich

Signature of Witness

Mischelle Bakich

Type or print name of witness

Priscilla Duttonhaver

Signature of Witness

Priscilla Duttonhaver

Type or print name of witness

GRANTOR

Dennis L. Bain, Trustee

DENNIS L. BAIN, Trustee

Patricia S. Bain, Trustee

PATRICIA S. BAIN, Trustee

STATE OF FLORIDA  
COUNTY OF LAKE

EXECUTION of the foregoing instrument was acknowledged before me this 2nd day of Nov., 2016, by Dennis L. Bain and Patricia S. Bain, Co-Trustees of the Bain Living Trust dated October 28, 2004, who were either [CHECK ONE] ☒ personally known to me, or who ☐ produced as identification.

Priscilla Duttonhaver



# AGENDA MEMORANDUM

**Item No:** 5.C.7.  
**Meeting Date:** December 12, 2016  
**From:** Travis Rima, Recreation Director  
**Subject:** Parks and Recreation Adopt – A – Bench Program

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**Staff Recommendation:**

Staff recommends the City of Leesburg Commission approve the implementation of the program.

**Analysis:**

The Leesburg Recreation Department Adopt-A-Bench program provides residents of Leesburg the opportunity to adopt benches to be installed throughout City of Leesburg parks and recreation facilities. Options for existing and non-existing bench locations are available. The program was developed to allow residents to memorialize a loved one while also endowing the Recreation Department Scholarship program. The LRD scholarship program assists in providing aid to deserving children to participate in recreation programs when the otherwise would not be able to participate.

**Options:**

1. Approve addition of program; or
2. Such alternative action as the Commission may deem appropriate.

**Fiscal Impact:**

Profits from benches will go directly to the Recreation Scholarship program. Profits are dependent on number of benches sold. There is no cost to the General Fund.

**Submission Date and Time:** 12/7/2016 2:07 PM

|   |  |   |
|---|--|---|
| Department: _____<br>Prepared by: _____<br>Attachments: Yes____ No____<br>Advertised: _____Not Required _____<br>Dates: _____<br>Attorney Review : Yes____ No____<br>_____<br>Revised 6/10/04 | Reviewed by: Dept. Head _____<br><br>Finance Dept. _____<br><br>Deputy C.M. _____<br>Submitted by: _____<br>City Manager _____ | Account No. _____<br><br>Project No. _____<br><br>WF No. _____<br><br>Budget _____<br><br>Available _____ |
|---|--|---|

RESOLUTION NO. \_\_\_\_\_

RESOLUTION OF THE CITY COMMISSION OF THE CITY OF  
LEESBURG, FLORIDA AUTHORIZING THE CITY OF  
LEESBURG RECREATION DEPARTMENT TO IMPLEMENT A  
PARKS AND RECREATION FACILITY ADOPT - A - BENCH  
PROGRAM; AND PROVIDING AN EFFECTIVE DATE.

**BE IT RESOLVED BY THE CITY COMMISSION OF THE CITY OF LEESBURG,  
FLORIDA:**

**THAT** the City Commission hereby authorizes the City of Leesburg's Recreation Department, whose address is 1851 Griffin Road, Leesburg Florida, to implement an Adopt – A - Bench program.

**THAT** this resolution shall become effective immediately.

**PASSED AND ADOPTED** by the City Commission of the City of Leesburg, Florida, at a regular meeting held the 12th day of December 2016.

\_\_\_\_\_  
Mayor

ATTEST:

\_\_\_\_\_  
City Clerk





## “Adopt- A -Bench” INFORMATION



Are you searching for an unusual gift for someone special, a one-of-a-kind way to recognize a friend, or a unique way to memorialize a loved one? Consider adopting a park bench!

Leesburg Recreation Department “Adopt-A-Bench” program provides benches to be installed throughout City parks and recreation facilities. Residents, businesses, and organizations are invited to “Adopt-A-Bench” for placement in specific locations, or can suggest a location subject to approval by the Recreation Department. The bench can be inscribed with the donor's name or dedication.

By adopting a bench, you will help endow the Recreation Scholarship Program. The City of Leesburg provides thousands of children in our community with a variety of recreational programs each year. The Leesburg Recreation Department scholarship program provides aid to deserving children by paying a portion of their registration fee, giving a child the opportunity to participate in recreation programs when otherwise they could not.

The goal of the Recreational Department is to provide opportunities to all City of Leesburg children. Studies have shown that children who participate in activities are less likely to be involved in juvenile crime, lower obesity rates, and are more likely to succeed as adults. We hope to give this advantage to all of the children of Leesburg. Each time a child joins a team, puts on a uniform, and plays in a game, they experience a sense of accomplishment and pride. Plus, they learn the valuable lesson of teamwork, sportsmanship, and the importance of keeping active. All while creating memories that will last a lifetime. By adopting a bench, you will not only memorialize someone special to you, you will also be providing an opportunity to the youth of Leesburg. “Adopt- A- Bench” TODAY!

Bench availability is limited, so don't miss out on this unique opportunity! To adopt a bench, contact the Leesburg Recreation Department at 352-728-9885 or by email at [Recreation.Dept@leesburgflorida.gov](mailto:Recreation.Dept@leesburgflorida.gov)



For more information, contact us at: [Leesburg Recreation Complex](#)

1851 Griffin Road ,Leesburg, FL 34748

Telephone: 352.728.9885 - Fax: 352.326.6225

Email: [Recreation.Dept@leesburgflorida.gov](mailto:Recreation.Dept@leesburgflorida.gov)

Visit us on: Facebook or [www.leesburgflorida.gov/recreation](http://www.leesburgflorida.gov/recreation)



### **Adopt – A - Bench Guidelines**

- Applications submitted to the Recreation Offices (1851 Griffin Road Leesburg, FL)
- City of Leesburg Recreation Advisory Board (RAB) will review the application for final approval.
- The vote will include board members and a recreation department designee. The RAB reserves the right to reject any adopt – a – bench request for any reason at their sole discretion.
  - RAB meets every 2nd Tuesday of the month at 7:00AM at the Leesburg Community Building.
  - Notice of bench approval/disapproval will be no later than the Friday following the RAB meeting.
  - Applicants are welcome to attend the meeting, but are not required to attend for approval.
- **\$1,000** to adopt an existing bench.
- **\$1,500** to adopt bench a new bench (applicant can suggest a location - final approval is at the sole desecration of the Recreation Department).
- Cost covers the manufacture and installation of the bench with a commemorative plaque.
- Wording on the plaque is limited to 2 lines, 18 characters per line.
- The life-cycle of commercial grade benches is approximately 10 years; the condition of the bench is graded at the sole discretion of the Recreation Department.
- Bench maybe relocated or removed at the sole discretion of the Recreation Department for any reason including future park development.
- Bench placements will be completed not more than 6 months after RAB approval and payment has been received

### **Locations:**

- Venetian Gardens/Ski Beach
- Susan Street Sports Complex
- Sleepy Hollow Sports Complex
- Leesburg Recreation Complex (Gym)
- Venetian Gardens Pool
- H.O. Dabney Pool
- Leesburg Community Building
- City of Leesburg Marina
- Kids' Korner
- Berry Park
- All other City of Leesburg Parks



For more information, contact us at: [Leesburg Recreation Complex](#)

1851 Griffin Road ,Leesburg, FL 34748

Telephone: 352.728.9885 - Fax: 352.326.6225

Email: [Recreation.Dept@leesburgflorida.gov](mailto:Recreation.Dept@leesburgflorida.gov)

Visit us on: Facebook or [www.leesburgflorida.gov/recreation](http://www.leesburgflorida.gov/recreation)





### “Adopt A Bench” Application

Bench Type: New (\$1,500) \_\_\_\_ **or** Existing (\$1,000) \_\_\_\_ • Personal \_\_\_\_ Business \_\_\_\_ Non-Profit \_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

City/State/Zip: \_\_\_\_\_

Phone Numbers: Day: \_\_\_\_\_ Evening: \_\_\_\_\_

Cell: \_\_\_\_\_ Fax: \_\_\_\_\_ Email: \_\_\_\_\_

Website: \_\_\_\_\_

Desired Bench location: \_\_\_\_\_ (subject to availability)

*(Message) 2 lines of text & 18 characters/spaces maximum per line*

**Line 1 – (In Honor of) \_\_\_\_ or (Family of) \_\_\_\_ “Check only one”**

**Line 2 -** \_\_\_\_\_

**Line 3 -** \_\_\_\_\_

*Brief Description of the meaning of the message:*

---

---

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Please submit application and payment to:

*Leesburg Recreation Complex  
1851 Griffin Road  
Leesburg, FL 34748*

\_\_\_\_\_  
Applicant Signature

By signing this application, you agree to all the terms and policies set forth.

\_\_\_\_\_  
Date

\_\_\_\_\_  
RAB Chair / Designee

\_\_\_\_\_  
Date

\_\_\_\_\_  
Recreation Director

\_\_\_\_\_  
Date



Office Use Only

\_\_\_\_\_  
Approved (Y/N)

\_\_\_\_\_  
Amt Paid

\_\_\_\_\_  
Date

# Adopt—A—Bench

Suggested new locations for  
benches :



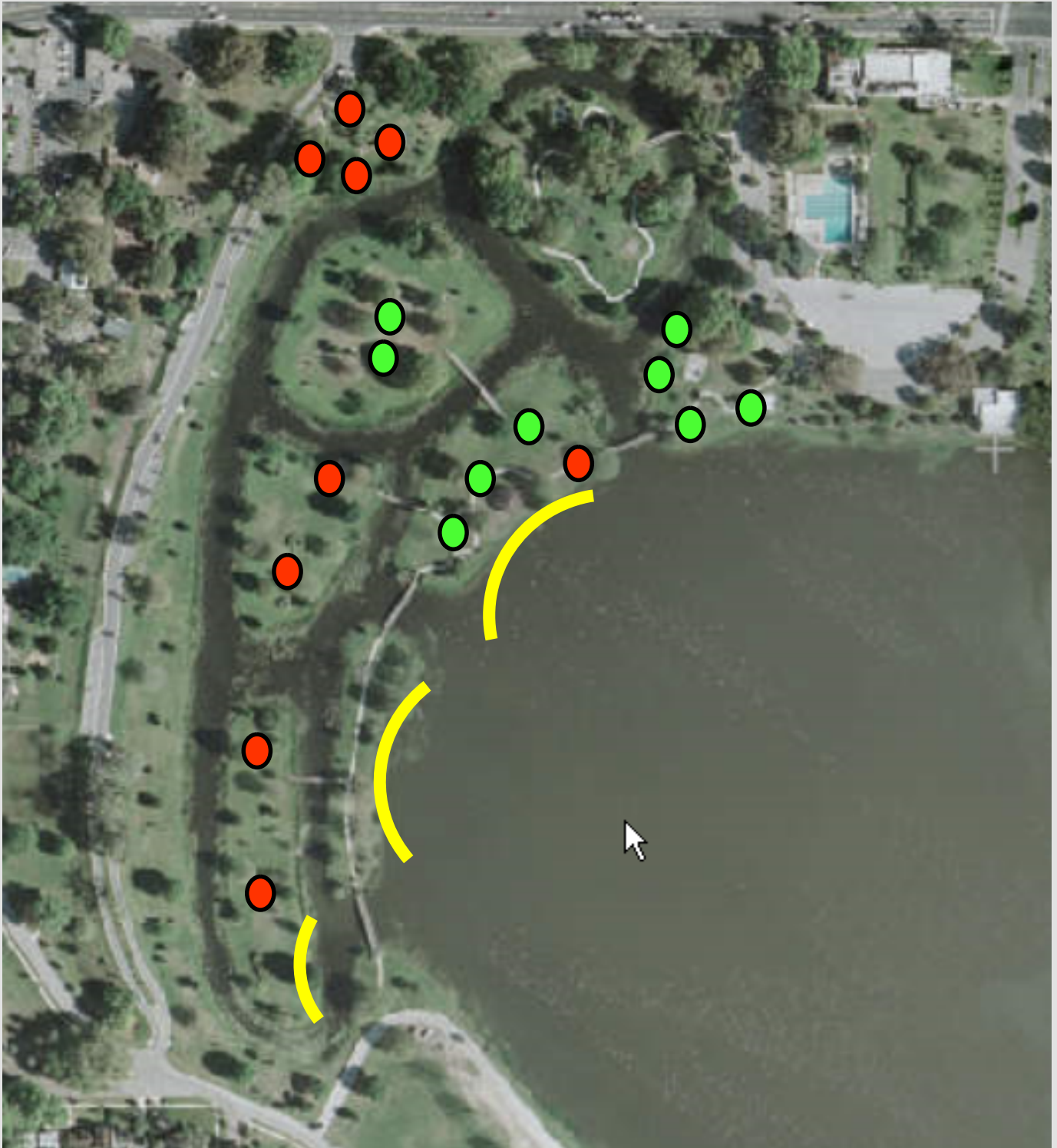
Slab available replacement  
bench:



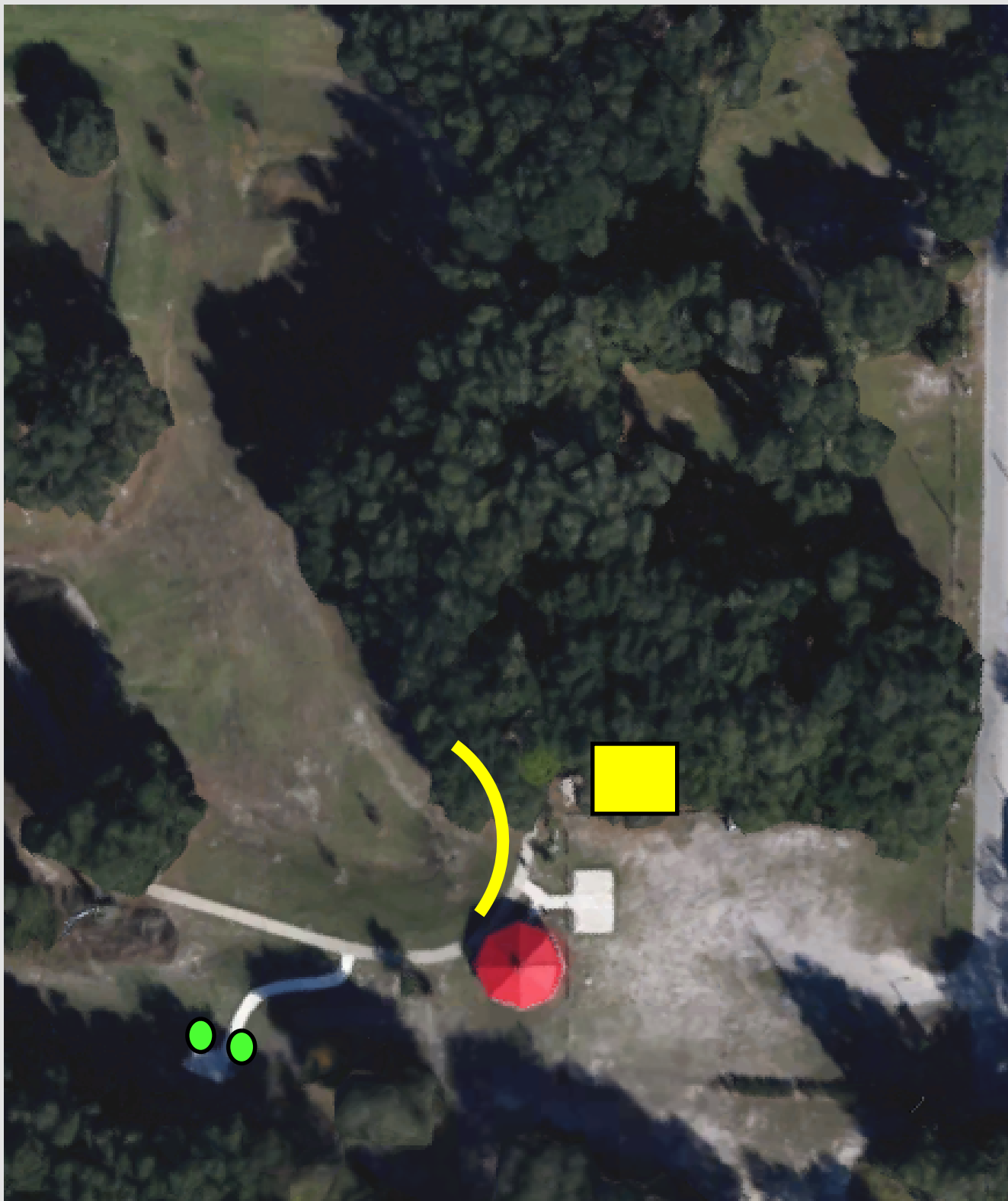
Existing bench:



# Vene•an Gardens



Berry Park



## Corrine Williams



## Herlong Park





John L. Johnson



Gym





# AGENDA MEMORANDUM

Item No: 6A.

Meeting Date: December 12, 2016

From: Al Minner, City Manager

Subject: MPO Appointment to BPAC

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## Analysis:

This is the bi-annual appoint of City officials to the MPO Bicycle and Pedestrian Advisory Committee of the MPO. A citizen, staffer or elected official can serve on this committee, however, if an elected official serves on this committee they are not eligible to serve on the governing board. Currently Mayor Hurley is the City representative on the MPO Board and Vice-Mayor Bone is the Alternate. Leesburg currently has no appointee on the Bicycle and Pedestrian Advisory Committee.

Submission Date and Time: 12/7/2016 2:07 PM

|   |  |   |
|---|--|---|
| Department: _____<br>Prepared by: _____<br>Attachments: Yes___ No ___<br>Advertised: ___Not Required ___<br>Dates: _____<br>Attorney Review : Yes___ No ___<br>_____<br>Revised 6/10/04 | Reviewed by: Dept. Head _____<br>Finance Dept. _____<br>Deputy C.M. _____<br>Submitted by: _____<br>City Manager _____ | Account No. _____<br>Project No. _____<br>WF No. _____<br>Budget _____<br>Available _____ |
|---|--|---|



Lake County  
Sumter County  
Town of Astatula  
City of Bushnell  
City of Center Hill  
City of Clermont  
City of Coleman  
City of Eustis  
City of Fruitland Park  
City of Groveland  
Town of Howey-in-the-Hills  
Town of Lady Lake  
City of Leesburg  
City of Mascotte  
City of Minneola  
Town of Montverde  
City of Mount Dora  
City of Tavares  
City of Umatilla  
City of Webster  
City of Wildwood  
Central Florida  
Expressway Authority  
Florida Central  
Railroad  
Lake County Schools  
Sumter County Schools



October 26, 2016

Mr. Al Miner, City Manager  
City of Leesburg  
PO Box 490630  
Leesburg, FL 34749-0630

**RE: Lake~Sumter Metropolitan Planning Organization  
Citizens' Advisory Committee (CAC) and  
Bicycle & Pedestrian Advisory Committee (BPAC)  
Membership Expirations**

Dear Mr. Miner:

This is to advise that the term expiration date for the members appointed by the City of Leesburg is December 31, 2016.

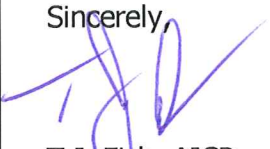
Either current members need to be reappointed or new members appointed for a 2 year term starting January 1, 2017 through December 31, 2018.

Currently there are no members appointed by the City of Leesburg:

BPAC – Appointment can be citizen, staff or elected official; however, elected official cannot also be appointed to the governing board.

Please feel free to contact Doris LeMay if you have any questions.

Sincerely,

  
T.J. Fish, AICP  
Executive Director

c: MPO Member



# AGENDA MEMORANDUM

**Item No:** 6B.

**Meeting Date:** December 12, 2016

**From:** Al Minner, City Manager

**Subject:** Appointment to the new Region 5 Trauma Agency Executive Committee

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## Analysis:

The City Manager received an e-mail from Lynne Drawdy, Florida Department of Health, requesting that the City of Leesburg appoint someone to serve as a voting member on the newly established Region 5 Trauma Agency Executive Committee. They would like the City of Leesburg to represent both the municipal government seat and Lake County on the executive committee. Orange County is filling the role of a county-level government.

A PowerPoint which provides an overview of the committee and minutes from their first meeting are included with this item.

## Options:

1. Appoint a member to serve on the Region 5 Trauma Agency Executive Committee; or
2. Decline the request and ask Ms. Drawdy to select another Lake County municipality to serve in this capacity.

## Fiscal Impact:

There is no fiscal impact associated with accepting this agreement

**Submission Date and Time:** 12/7/2016 2:07 PM

|   |  |  |
|---|--|--|
| Department: <u>Administration</u><br>Prepared by: _____<br>Attachments: Yes <u>X</u> No _____<br>Advertised: _____ Not Required _____<br>Dates: _____<br>Attorney Review : Yes _____ No _____<br>_____<br>Revised 6/10/04 | Reviewed by: Dept. Head _____<br>Finance Dept. _____<br>Deputy C.M. _____<br>Submitted by: _____<br>City Manager _____ | Account No. <u>N/A</u><br>Project No. _____<br>WF No. _____<br>Budget _____<br>Available _____ |
|---|--|--|

# **Region 5 Trauma Agency Pilot**

***Building the Future of Florida's Trauma  
System Together***

**Peter A. Pappas MD FACS**

**David Freeman**

**Central Florida Disaster Medical Coalition**

# Legal Basis

- **64J-2.007**
  - Trauma Agency Formation
- **943.0313**
  - Regional Domestic Security Task Force
- **395.401, 395.404 and 395.4045**
  - Trauma Service System Plans
  - Trauma Registry
  - EMS Providers, Transport Protocols

**Florida RDSTF Regions**

The map displays the following regions and their constituent counties:

- Region I (Red):** Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Columbia, Duval, Escambia, Franklin, Gadsden, Gilchrist, Hamilton, Hardee, Hendry, Hernando, Hillsborough, Jackson, Jefferson, Lafayette, Leon, Levy, Madison, Manatee, Marion, Miami-Dade, Monroe, Nassau, Oklawaha, Okeechobee, Orange, Osceola, Palm Beach, Pinellas, Polk, Putnam, Santa Fe, Seminole, St. Johns, St. Lucie, Suwannee, Taylor, Volusia, and Washington.
- Region II (Blue):** Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Columbia, Duval, Escambia, Franklin, Gadsden, Gilchrist, Hamilton, Hardee, Hendry, Hernando, Hillsborough, Jackson, Jefferson, Lafayette, Leon, Levy, Madison, Manatee, Marion, Miami-Dade, Monroe, Nassau, Oklawaha, Okeechobee, Orange, Osceola, Palm Beach, Pinellas, Polk, Putnam, Santa Fe, Seminole, St. Johns, St. Lucie, Suwannee, Taylor, Volusia, and Washington.
- Region III (Green):** Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Columbia, Duval, Escambia, Franklin, Gadsden, Gilchrist, Hamilton, Hardee, Hendry, Hernando, Hillsborough, Jackson, Jefferson, Lafayette, Leon, Levy, Madison, Manatee, Marion, Miami-Dade, Monroe, Nassau, Oklawaha, Okeechobee, Orange, Osceola, Palm Beach, Pinellas, Polk, Putnam, Santa Fe, Seminole, St. Johns, St. Lucie, Suwannee, Taylor, Volusia, and Washington.
- Region IV (Orange):** Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Columbia, Duval, Escambia, Franklin, Gadsden, Gilchrist, Hamilton, Hardee, Hendry, Hernando, Hillsborough, Jackson, Jefferson, Lafayette, Leon, Levy, Madison, Manatee, Marion, Miami-Dade, Monroe, Nassau, Oklawaha, Okeechobee, Orange, Osceola, Palm Beach, Pinellas, Polk, Putnam, Santa Fe, Seminole, St. Johns, St. Lucie, Suwannee, Taylor, Volusia, and Washington.
- Region V (Light Blue):** Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Columbia, Duval, Escambia, Franklin, Gadsden, Gilchrist, Hamilton, Hardee, Hendry, Hernando, Hillsborough, Jackson, Jefferson, Lafayette, Leon, Levy, Madison, Manatee, Marion, Miami-Dade, Monroe, Nassau, Oklawaha, Okeechobee, Orange, Osceola, Palm Beach, Pinellas, Polk, Putnam, Santa Fe, Seminole, St. Johns, St. Lucie, Suwannee, Taylor, Volusia, and Washington.
- Region VI (Purple):** Alachua, Baker, Bay, Bradford, Brevard, Calhoun, Columbia, Duval, Escambia, Franklin, Gadsden, Gilchrist, Hamilton, Hardee, Hendry, Hernando, Hillsborough, Jackson, Jefferson, Lafayette, Leon, Levy, Madison, Manatee, Marion, Miami-Dade, Monroe, Nassau, Oklawaha, Okeechobee, Orange, Osceola, Palm Beach, Pinellas, Polk, Putnam, Santa Fe, Seminole, St. Johns, St. Lucie, Suwannee, Taylor, Volusia, and Washington.

## Florida RDSTF Regions

# Mission Vision and Values

- **Mission** – Establish a Trauma Agency in accordance with State of Florida rules/regulations and ACS-COT survey
- **Vision** – A forum for best practice across the spectrum of trauma care
- **Values** – Excellence in patient care, transparency and inclusiveness

# The Driving Concept

- **Joint Trauma and EMS Leadership**
- **Trauma Centers**
  - Level I and Level II
- **EMS Agencies**
  - Transporting
  - Non-Transporting

# Basic Structure

- Agency Consists of Stakeholder Sections
- Sections Appoint to Executive Committee
- Executive Committee appoints to Standing and Ad hoc Committees



# Who are the Stakeholders?

- Trauma Centers
- EMS Agencies
- Acute Care Hospitals
- County Health Departments
- Extended/Rehabilitation Care Centers
- Municipal Government
- County Government
- *(Existing Trauma Agencies)*
- *(Sovereign Tribes)*

# Executive Cmte Chairs

- Co-Chair Trauma Center
- Co-Chair Transporting EMS Agency
- Two Co-Vice Chairs
  - Trauma Center Vice-Chair
  - EMS Vice-Chair

# **The Region 5 Executive**

- **Trauma and EMS Co-Chairs**
- **Trauma and EMS Reps and Vice-Chairs**
- **Acute Care Hospital Rep**
- **Extended Care Centers Rep**
- **County Health Department Rep**
- **Municipal Government Rep**
- **County Government Rep**

# Non-Voting Ex Officio

- **Bordering Counties**
- **CFDMC Rep**
- **DOD Rep**
- **FHA Rep**
- **County Medical Societies/FMA Rep**
- **EMSAC Rep**

# The Committee Structure

- **Standing Committees**
  - **Core Mission**
  - **Supporting Mission**
  - **Ad hoc Committees**

# Core Mission Committees

- Joint Trauma and EMS Best Practice
- Joint Trauma and EMS Grant
- Joint Trauma and EMS Registry
- Trauma System Access
  - Transport and Aviation
  - Special Population Subcommittee
    - Burns, Pediatric, Brain/Spinal Cord, Geriatric

# Additional Committees

- **Supporting Mission**
  - Joint Trauma and EMS Training/Ed
  - Injury Prevention and Outreach
  - Disaster Management
  - At-Risk Patient Care
- **Ad hoc**
  - Trauma Center Application Review

# Nuts and Bolts

- Quarterly Meetings
  - Held at Region 5 TC or EMS Agency HQ
- Meet in the Sunshine
- Set own bylaws
- 3/5 vote to change any rule for ExCmte
- 2/3 vote to remove an ExCmte rep by their respective stakeholder section



# Timeline

## ■ Year 1

- **Formation of Executive Committee**
  - Organization of Stakeholder Sections
  - Appointment of Membership
- **Formation of Core Mission Committees**
  - Establishing Scope of Work
  - Appointment of Membership
- **Establishing Rules for Trauma Center Application Ad hoc Committee**

# Timeline

## ■ Year 2

- Formation of Supporting Mission Cmtes
- Biannual reports from Core Mission Cmtes
- First Core Cmte action plans
- First Annual Report to DOH

## ■ Year 3

- Core Mission initiatives underway
- First annual report from Supporting Cmtes
- First Supporting Cmte action plans

# Conclusions

- A big challenge, but an even greater opportunity
- Uniting to create a seamless system of trauma care
- Coming together for our communities and our patients

## Summary of Region 5 Trauma Agency Executive Committee Meeting

October 28, 2016, 3:30 to 5 pm

ORMC North Bed Tower, Orlando

Attending: Erik Barquist, Bill Campbell, Kevin Captain, Pete Clarke, Tom Daly (via conference call), Lynne Drawdy, Jeanne Eckes, Dave Freeman, Dan Harshburger (via conference call), Joseph Ibrahim, Matt Meyers (via conference call), Joe Nelson, Susan Ono, Peter Pappas, Don Plumley, Cory Richter (via conference call), Dan Simpson, Clint Sperber (via conference call), Sandy Schwimmer, Barb Uzenoff, Christine Walker

Call to Order& Welcome: Dr. Peter Pappas welcomed the group and thanked everyone for joining, and thanked Orlando Regional Medical Center for hosting the meeting. He explained that this workshop is the first face to face meeting of the new Region 5 Trauma Agency Executive Committee. Those present and on the phone introduced themselves.

Overview of Central Florida Disaster Medical Coalition: Dave Freeman provided background information on the Coalition. The Coalition is a 501c (3) not for profit which has been in existence in the mid-1990s. It was first created to manage a federal Disaster Medical Assistance Team in Central Florida, and later expanded to manage the Region 5 State Medical Response Team. In late 2014, in response to the Assistant Secretary for Preparedness and Response (ASPR) requirement for local communities to have a health and medical coalition to assist the healthcare system in preparing for, responding to and recovering from disaster, the Coalition expanded again to take on this new role. There are currently 15 coalitions of this kind in Florida. The Coalition covers the nine counties in the Regional Domestic Security Task Force (RDSTF) Region 5 (Brevard, Indian River, Lake, Martin, Orange, Osceola, Seminole, St. Lucie, and Volusia counties). The Coalition is recognized by the RDSTF as the health and medical committee. The Coalition has a 20 member Board of Directors representing hospitals and the trauma system, emergency medical services, public health, emergency management, medical examiners, long-term care facilities, and other health and medical and business stakeholders. Additional information about the Coalition can be found at [www.centralfladisaster.org](http://www.centralfladisaster.org).

In 2015, in response to legislation requiring regional trauma agencies, the Florida Department of Health (DOH) asked the Region 5 Coalition to pilot this for Florida, as Region 5 has the infrastructure and partnerships that will enable success. Dave explained that Dr. Pappas is the Coalition Board member who has champions this effort. Dr. Pappas advised that the Executive Committee is the voting group of the agency, and can decide what kind of agency we want. Region 5 has six trauma centers, all verified (one Level I and five Level II). Thirteen new applications are pending.

Introduction of Coalition Project Manager. Dr. Pappas introduced Lynne Drawdy. Lynne explained that although this is an unfunded mandate, the Coalition has agreed to support the Regional Trauma Agency, and until funding becomes available she is available to support the Executive Committee as she does the Coalition Board.

Role & Vision of Health and Human Services for the Agency: Jeanne Eckes stated that on behalf of the Secretary of Health and Human Services and the ASPR Assistant Secretary, she applauded the Coalition and the group for their efforts. She stated that there may be grant opportunities available that can assist with these efforts and she will search for and forward this. She stated that she looks forward to seeing the Region 5 model develop and be used as a blueprint for other agencies.

Role & Vision of DOH for the Agency: As DOH was unable to participate in today's meeting, Dr. Pappas and Clint Sperber will schedule a follow-up call to ask for their vision and objectives for the agency. Dan Harshburger advised that he spoke with the EMS Chief and Leah Colston and there are several lawsuits underway now that could impact the agency.

Comments from Other Stakeholders: Barb Uzenoff reported on the Hillsborough Trauma Agency. She stated that it has been in operation since the early 1990s, and includes six trauma centers. The agency looks at benchmarks for success.

Sustaining staffing for the agency has been an issue; she is currently the only staff member. She stated that the agency looks at data and is developing uniform protocols, such as a PCPs and interfacility transfers. The agency has access to the medical examiner database. Sandy Schwimmer reported that the Palm Beach healthcare district hosts the agency; it is one system and has dedicated funding. They collect statistics, trend injuries, hold PI meetings to review cases, identify best practices, look at protocols for care, and create opportunities for collaboration. She stated that they also share information on barriers, and have focused on improving patient care vs. political or financial issues.

The group discussed access to data; Florida Statute 395.50-51 gives authority to access the data. There have been some issues in getting records. Dr. Pappas stated that the Executive Committee will decide how they want to address QI, best practices, protocols for care. He suggested that the group focus on scoring some quick victories, such as working with pharmacy on high risk patients or working with EMS on transport protocols, working collaboratively to monitor and improve interfacility transfer delays, while tracking over time reduction in mortality rates.

The group discussed that looking at regional data is a good starting place. Data sources include the TQIP, MISQUIP, the Florida Collaboration, the Trauma Registry, EMSTARS, AHCA, and other sources such as Safe Kids. Clint Sperber asked the group to identify data needs and he and Dr. Pappas will follow-up with the state to secure this.

The group discussed whether the agency is covered under the Florida Sunshine statute. Lynne advised that the Coalition has verified that the Coalition and the Agency are not subject to Government in the Sunshine requirements. Hillsborough confirmed this and stated that their meetings are closed to the public. Barb stated that the agency must have a trauma plan to be formally recognized as an agency. Dr. Pappas will discuss this requirement with DOH, and reminded the group that the rule is in flux. Much of the data and information needed should be readily available.

Update on Committee Formation: Dr. Pappas previewed the Executive Committee structure. The acute care hospital seat has been filled by Florida Hospital, and the rehab seat has been filled by Consulate. Pete Clarke, Orange County Commissioner, has filled the seat for county government. Pete provided background information; he was formerly the director of health services for Orange County. Dr. Pappas advised that we are seeking a representative from the City of Leesburg for the municipality seat as Lake County is not yet represented. Region 5 does not include a tribe and there is no existing agency in the region.

The group discussed and agreed on the following concepts: a culture of collaboration, quality improvement, and bringing best practices to the table. The group discussed brainstorming quality initiatives for quick wins, such as the Stop the Bleed campaign, or development of a regional trauma transport protocol. Lynne asked if the other trauma agencies used any analytical tools or software; she will research and provide information on those used by other groups.

Next Steps: Dr. Pappas suggested that over the next 18 to 24 months, the agency create its governance structure and share information on the requirements and the agency with stakeholders. As immediate next steps, the group agreed:

- Dr. Pappas and Clint Sperber will speak with DOH to get an update on the rules, the DOH vision and objectives for the agency, and to discuss access to data
- Cory Richter agreed to host the next meeting in Vero Beach. Dr. Pappas will schedule and send a save the date.



# AGENDA MEMORANDUM

Item No: 6C.

Meeting Date: December 12, 2016

From: Al Minner, City Manager

Subject: Annual Performance Evaluation

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## Analysis:

Pursuant to the employment agreement between the City Commission and the City Manager, an annual evaluation is conducted. The anniversary of employment with the current City Manager is December 13<sup>th</sup>. Accordingly, on November 18<sup>th</sup>, the City Manager issued the annual evaluation forms to the City Commission in preparation for the December 12 meeting. Also attached is a list of accomplishments for your consideration.

Submission Date and Time: 12/7/2016 2:07 PM

|  |  |   |
|--|--|---|
| Department: _____<br>Prepared by: _____<br>Attachments: Yes___ No___<br>Advertised:___ Not Required___<br>Dates: _____<br>Attorney Review : Yes___ No___<br>_____<br>Revised 6/10/04 | Reviewed by: Dept. Head _____<br><br>Finance Dept. _____<br><br>Deputy C.M. _____<br>Submitted by: _____<br>City Manager _____ | Account No. _____<br><br>Project No. _____<br><br>WF No. _____<br><br>Budget _____<br><br>Available _____ |
|--|--|---|

**TO:** Mayor and Members of the Leesburg City Commission  
**FROM:** Al Minner, City Manager  
**RE:** **CITY MANAGER ANNUAL EVALUATION**  
**DATE:** Friday, November 18, 2016

The City Manager's third anniversary of employment will be on Tuesday, December 13, 2016. Accordingly, attached is the annual evaluation form for your consideration. Please complete and return it to Pam Hester, Andi Purvis or myself. A copy of which will be placed in the City Manager personnel file. In addition, I will schedule the annual Commission comments on City Manager performance for the December 12, 2016 Regular Meeting. If you can have the evaluation forms completed prior to that date, it would be greatly appreciated.

With almost three years of service, I took the liberty to review some of the accomplishments we have made in the past few years. While I realize this is an annual evaluation, I think the larger body of work is important to consider, as many of our 2016 accomplishments have been built on work we have previously accomplished. While I don't believe these samplings represent all the positive items we have accomplished together, I do believe it is an impressive list (so far).

- Ø **ELECTRIC RATE REDUCTION** – Since December 2013, when rates were scheduled to increase by another 5%, the Commission approved a 5-point plan to reduce electric rates by 24%, now at \$105.58 for the first 1,000kWh of usage.
- Ø **CREATION OF THE FIRE ASSESSMENT FEE** – The \$58 residential fee has freed cash to tackle CIPs and was the genesis to help lower Electric Transfers and electric rates.
- Ø **SMART GRID** – The poor results and press of the Smart Grid Project seem to be behind us. Honestly with the media and a common sense approach accomplished these three items, which mitigate the problems associated with Smart Grid; (1) Bond refinancing; (2) a new GE contract which saves \$6 million over the next 12 years; and, (3) reducing IT requirements associated with the project.
- Ø **VILLAGES EXPANSION** – 2,000+ New customers are now ready to be attached to the City's expansion of the electric grid in the villages.
- Ø **DUKE FRANCHISE** – Early in 2014, we recognized that Duke Energy customers who resided in City limits were not paying a franchise to the City. A franchise agreement was struck with Duke and in the last two years \$208,800 has been generated for the General Fund.
- Ø **DEMOLITION PROGRAM** – The Commission started a demolition program and funded it \$100,000 annually. To date almost 20 dilapidated residential structures have been removed with a few key commercial buildings such as (1) the old mobile station, (2) Venetian Isles apartments, (3) the "Lawn Mowing Service" at the Airport; and, (4) the apartment complex on the Boulevard.
- Ø **VENETIAN GARDENS PHASE I** – Completed the new Kids Korner and more recently the Commission approved the splash pad and pavilion building.

- Ø **CUSTOMER SERVICE** – Customer Service has improved with added staff, new programs (no fee for credit card use, electronic billing, and reduced security deposits). Here is a quick chart that summarizing major measuring items:

| CUSTOMER SERVICE<br>CALL STATS | 2015  | 2016  | +/-    |
|--------------------------------|-------|-------|--------|
| AVERAGE CALLS PRESENTED        | 187   | 266   | +79    |
| AVERAGE CALLS HANDLED          | 144   | 245   | +101   |
| AVERAGE HANDLED RATIO          | 77%   | 92%   | +15%   |
| AVERAGE HOLD TIME<br>(minutes) | 9:56  | 1:31  | -8:25  |
| MAX HOLD TIME (minutes)        | 83:32 | 17:55 | -65:37 |

- Ø **CASH RESERVES** – The City has accumulated very healthy reserve funds. At the end of FY 16 the General Fund unrestricted reserve was approximately \$16 million. This is up 63% (\$9.8 million) from the end of December 2013.
- Ø **COVANTA DEAL** – The annexation agreement with Covanta decreased solid waste disposal rates from \$40/ton to \$29.50/ton (now \$29.90/ton); saving \$230,000 annually. With the savings the Commission reduced the customer charge from \$19.13 to \$17.13 and still has some cash which has been used to finance capital projects. In addition, Covanta now pays approximately \$25,000 in Leesburg property taxes.
- Ø **CRA 441/27 INCREMENT REESTABLISHMENT** – After creating the 441/27 CRA, the economy collapsed and the tax increment was negative, bringing in \$0 in revenue. FY 17 marks the first year the increment will generate revenue of approximately \$108,500.
- Ø **DEBT RESTRUCTURING** – Since December 2013, the Commission has refinanced over \$60 million in bond proceeds saving approximately \$7.5 million in interest payments.
- Ø **PLANTATION WATER TANK** – Completed on budget the Plantation Water Tank, which is now operational.
- Ø **NEW PBA CONTRACT** – The new CBA with the PBA is a significant tool providing the City the ability to retain and recruit qualified police officers. Before the pay and force adjustments that were a portion of the CBA, the Police Department was experiencing major turn over. Now turn over has been stabilized and LPD has a regionally competitive police benefit package.
- Ø **INDUSTRIAL RECRUITMENT EFFORTS UP-** In the past three years, the 470 property has been heavily marketed, without spending significant funds to “certify” the site. Coreslab and Intellisteel are the first corporations to move to the properties with several leads and inquiries pending.



- Ø **DESIGN STANDARDS** – In our efforts to reduce blight, the Commission has adopted architectural standards, down-town “bump-out” program; and color standards.
- Ø **GAS DEPARTMENT** – The Commission approved the Sabal Trail natural gas connection which completes a long planned City project to improve capacity in the southern portion of the City and provides transmission redundancy. This project also kept over \$1M in the gas fund for other potential capital projects

In addition to these accomplishments, below is a short list of items we continue to manage:

- Ø **FIBER SALE** – If all goes as planned, the sale of the Fiber Utility could net the City approximately \$8 million in cash for the General Fund
- Ø **VENETIAN GARDENS PHASES 2&3** – The Commission earmarked \$6.5 million in cash to reinvest in Venetian Gardens. These funds will finance VG Phase 2 – (Ski Beach Improvements) and VG Phase 3 (commercial and community center improvements along Dozier Circle).
- Ø **COMMUNITY RESOURCE CENTER** – Design and planning is well underway for the Community Neighborhood Center which seeks to provide additional services, education and training for LMI residents.
- Ø **SEA PLANE RAMP** – Is now in permitting phases and a new mitigation strategy could save approximately \$500,000 on construction.
- Ø **441/27 CRA REFINANCE** – Staff is currently working on the last debt restructure which could save approximately \$1.3 million on interest payments for the 2010 CRA Issue.
- Ø **TRANSPORTATION CORRIDOR IMPROVEMENT PROJECTS** - Several projects are started or in planning phases which include (1) 441/27 Intersection; (2) Dixie Complete Streets; (3) 441 Medians; (4) US 27 medians; (5) 441 Widening (now ready if called upon by state); and, (6) US 27 Complete Streets study underway.